

PALM BEACH COUNTY
AMENDMENTS TO ZONING CODE

ORDINANCE NO. 90- 21

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AMENDING THE CODE OF LAWS AND ORDINANCES OF PALM BEACH COUNTY FLORIDA, APPENDIX F (THE ZONING CODE) INCLUDING THE FOLLOWING: AMENDING SECTIONS 402.6 (COMPLIANCE WITH CONDITIONS OF APPROVAL AND TIME CERTAIN REQUIREMENTS) AND 402.9 (MANDATORY REVIEW OF DEVELOPMENT APPROVAL) TO PROVIDE RECOURSE FOR DEVELOPMENT ORDER NON-COMPLIANCE AND MAKE OTHER TECHNICAL CHANGES; RETITLING AND RENUMBERING EXISTING SECTION 500.16.B (MISCELLANEOUS STANDARDS) TO SECTION 500.16 (MISCELLANEOUS STANDARDS) AND AMENDING NEW SECTION 500.16 (MISCELLANEOUS STANDARDS) TO REVISE NOISE STANDARDS; CREATING NEW SECTION 402.8 (USE OF SPECIAL EXCEPTION APPROVAL); AMENDING AND RETITLING SECTION 500.4 (SOLID WASTE TRANSFER AND RECYCLING STATIONS) TO ADD STANDARDS FOR RECYCLING FACILITIES; AMENDING SEVERAL ADMINISTRATIVE AND SUBSTANTIVE SUBSECTIONS TO MAKE MINOR CHANGES; AMENDING SECTION 500.22 (MOBILE HOME RENTAL PARKS); AMENDING THE FOLLOWING DISTRICTS TO AMEND USES: 601 (AGR-AGRICULTURAL RESERVE DISTRICT), 602 (AP-AGRICULTURAL PRODUCTION DISTRICT), 603 (SA-SPECIAL AGRICULTURAL DISTRICT), 604 (AR-AGRICULTURAL RESIDENTIAL DISTRICT), 605 (CRS-COUNTRY RESIDENTIAL DISTRICT), 606 (RSE-RURAL SERVICES DISTRICT), 607 (RE-RESIDENTIAL ESTATE DISTRICT), 608 (RT-RESIDENTIAL TRANSITIONAL DISTRICT), 609 (RTS-RESIDENTIAL TRANSITIONAL SUBURBAN DISTRICT), 610 (RTU-RESIDENTIAL TRANSITIONAL URBAN DISTRICT), 611 (RS-SINGLE FAMILY RESIDENTIAL DISTRICT), 612 (RM-MULTIPLE FAMILY RESIDENTIAL [MEDIUM DENSITY] DISTRICT), 613 (RH-MULTIPLE FAMILY RESIDENTIAL [HIGH DENSITY] DISTRICT), 614 (CN-NEIGHBORHOOD COMMERCIAL DISTRICT), 615 (CC-COMMUNITY COMMERCIAL DISTRICT), 616 (CG-GENERAL COMMERCIAL DISTRICT), 617 (CSH-SPECIALIZED COMMERCIAL DISTRICT), 618 (LO-LIMITED OFFICE DISTRICT), 619 (CRE-COMMERCIAL RECREATION DISTRICT), 620 (IL-LIGHT INDUSTRIAL DISTRICT), 621 (IG-GENERAL INDUSTRIAL DISTRICT), 623 (PC-PRESERVATION CONSERVATION DISTRICT), 624 (PO-PUBLIC OWNERSHIP DISTRICT), 625 (CR-CONSERVATION RESTRICTED USE DISTRICT); AMENDING ALL STANDARD ZONING DISTRICTS AS WELL AS SECTION 627 (WCRA-O-WESTGATE BELVEDERE HOMES COMMUNITY REDEVELOPMENT STUDY AREA OVERLAY DISTRICT) AND SECTION 630 (PBIA-PALM BEACH INTERNATIONAL AIRPORT OVERLAY DISTRICT) TO REVISE PROPERTY DEVELOPMENT REGULATIONS, CORRECT ERRORS IN CONSTRUCTION AND CORRECT INCONSISTENCIES; AMENDING ERRONEOUS SECTION REFERENCES; PROVIDING FOR INTERPRETATION OF CAPTIONS; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE LAWS AND ORDINANCES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Chapter 125 (County Government) of the Florida Statutes establishes the right and power of counties to provide for the health, welfare and safety of the existing and future residents by enacting and enforcing zoning and administrative regulations necessary for the protection of the public; and

WHEREAS, there was a need for correction of errors in construction and

1 inconsistencies and to make other minor technical changes in the Code of Laws and
2 Ordinances, Palm Beach County, Florida, Appendix F, Zoning Code; and

3 WHEREAS, the Board of County Commissioners finds that it is necessary to
4 revise the current programs, as set forth in sections 402.6 and 402.9 of the Zoning Code,
5 Ordinance No. 73-2, as amended, to provide sufficient options to encourage timely
6 development and development condition compliance within the constraints of the
7 Comprehensive Plan; and

8 WHEREAS, the Board of County Commissioners herein responds in part to the
9 State of Florida mandate to reduce material deposited in landfills by creating standards
10 for recycling facilities; and

11 WHEREAS, uses in the AP-Agricultural Production and PC-Preservation
12 Conservation Zoning Districts need to be amended to support remapping of central and
13 western Palm Beach County; and

14 WHEREAS, provisions of the performance standards needed further clarification
15 to more accurately outline the limitations on noise in the County;

16 NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY
17 COMMISSIONERS, PALM BEACH COUNTY, FLORIDA, THAT:

18 Part 1. Section 202.2, Definitions, is amended to insert and delete the language shown
19 below. The remainder of section 202.2 remains unchanged.

20 Fishing and Hunting Campground: A plot of ground established as campsite
21 for use as temporary living quarters for fishing and hunting activities, according
22 to the rules and regulations of applicable governmental agencies. Permanent
23 buildings for government officials may be permitted for the management of the
24 campground or wildlife area.

25 Handicapped Person: Handicapped person shall have the meaning given to it
26 in Sec. 400.618(3) 393.063(6) and Sec. 760.22(5)(a)(6) Florida Statutes.

27 Lounge: ~~A building or portion of a building wherein liquor is sold by the drink~~
28 ~~and consumed on the premises.~~ A use primarily engaged in the preparation and
29 retail sale of alcoholic beverages for consumption on the premises, including
30 taverns, bars, lounges, and similar uses other than restaurants or alcohol sales
31 for off-premises consumption. A lounge is distinct from a restaurant that sells
32 alcohol when it cannot qualify for a "Consumption on Premises, Special
33 Restaurant Exemption" pursuant to the State Beverage Law.

Package Treatment Facility: A facility consisting of a small, prefabricated wastewater treatment facility unit and on-site disposal system, intended to accommodate the wastewater treatment needs of a development provide sewer service to a single development which lies beyond the service area of a regional wastewater treatment facility.

Recycling Station: A facility where solid waste products are sorted or are reduced to raw materials and transformed into new and often different products that can be used again. Such facilities will not include incineration or burning.

Unity of Control: A covenant stipulating that a lot, lots, or project shall be developed according to a site or master plan providing unified control and the combined lots shall meet land development requirements as if they are one lot. This unity of control document shall be reviewed by the county attorney prior to being recorded in the office of the Clerk of the Circuit Court of Palm Beach County. It shall include and be executed by all property owners.

Wastewater Treatment Facility: A structure in which wastewater and its resulting products are prepared or treated for disposal. A facility designed for treatment and disposal of more than 5,000 gallons per day of wastewater. The meaning of the term shall include large regional lift stations, treatment plants and above ground package treatment facilities, but shall not include septic tanks.

Water Treatment Facility: A structure in which harmful substances are removed from water to make it safe and palatable for human consumption. The meaning of the term shall be deemed to include large regional lift stations plants, as well as smaller package treatment facilities. A facility designed for treatment of ground or surface water for potable and sanitary purposes, with a design capacity of more than 10,000 gallons per day.

Part 2. Section 300.1, Establishment, Designation and Application of Districts, Establishment of Districts, is amended to delete and replace language as follows:

300. Establishment, Designation and Application of Districts.

300.1. Establishment of Districts. In order to classify, regulate and restrict the use of land, water, buildings and structures, to regulate and restrict the height and bulk of buildings, to regulate the intensity of land use, and to promote orderly urban growth, the unincorporated area of Palm Beach County is divided into ~~twenty-nine (29)~~ thirty (30) Zoning Districts as follows:

Part 3. Section 401.5.C., Modification of Commission Requirements, Commission Approvals and Approved Master Plans, is amended to delete Subsection C as follows:

401.5. Modification of Commission Requirements, Commission Approvals and Approved Master Plans.

~~C. For any application requesting a modification of Commission requirements for an approved development, only that portion affected by the requested modification shall be reviewed for application of any additional requirements.~~

1 Part 4. Section 401.6, Special Permits, is amended to add new subsections and
2 renumber the existing sections, as follows:

3 A. Every application for special permits to allow uses subject to special
4 regulations in the zoning districts, shall include the following:

5 A.1. The information required in section 401.1.

6 B.2. A site development plan showing the proposed layout of the
7 subject site and the relationship of the special permit use
8 therein.

9 C.3. The submission of all requirements of the appropriate district,
10 special regulations, or application form.

11 B. In reviewing an application for a special permit, the department shall
12 assure that all application requirements are met, including the
13 requirements of the appropriate zoning district, any special regulations,
14 and each application form.

15 C. The department shall approve or deny or approve with conditions
16 applications for special permits based on the standards contained in
17 Zoning Code section 402.2.A. (Planning Commission, Authority,
18 Functions, Powers and Duties), the zoning district, any special
19 regulations, and standards contained in each special permit form.

20 Part 5. Subsection 402.6.E.3.(a), Compliance With Conditions of Approval and Time
21 Certain Requirements, Procedures Upon Failure to Comply With Conditions or
22 Time Certain Requirements, Mail Notice, is hereby amended as follows:

23 E. Procedures upon failure to comply with conditions or time certain
24 requirements.

25 3. Prior to consideration of the matter by the Board of County
26 Commissioners, notice to the owner of record and
27 advertisement of the proceedings shall occur in the following
28 manner:

29 a. Mail notice. The owner of record shall be notified in
30 writing of the Executive Director's status report and
31 recommendation to the Board of County
32 Commissioners. Written notice shall consist of a letter
33 sent at least ~~45~~ 14 calendar days prior to the hearing
34 by certified mail, return receipt requested, to the last
35 known address of the property owner of record as it
36 appears in the official records of the Palm Beach County
37 Property Appraiser's Office. Proof of the receipt shall be
38 presented at the hearing. In the event that the owner
39 fails to acknowledge receipt of mail notice or the notice
40 is returned unopened, newspaper publication, as set
41 forth below, shall be deemed sufficient notice. Written
42 notice shall include:

1 Part 6. Section 402.6.F., Compliance With Conditions of Approval and Time Certain
2 Requirements, Decision by the Board of County Commissioners, is hereby
3 amended as follows:

4 F. Decision by the Board of County Commissioners.

- 5 1. The Board of County Commissioners shall consider the factors
6 enumerated in subsection D.3. above and ~~subsection~~
7 ~~402.9.E.5.b.~~ any relevant background information, current status
8 of the development, and the recommendation of the
9 Department.
- 10 2. After deliberation, the Board of County Commissioners shall
11 either take one or more of the following actions:
- 12 a. Direct staff to initiate a petition to revoke the special
13 exception in accordance with section 401 of this Code
14 and, if applicable, any associated certificate of
15 concurrency or concurrency finding; ~~or.~~
- 16 b. Direct staff to initiate a petition to rezone the property
17 to an appropriate district, ~~including revocation of an~~
18 ~~approved special exception,~~ in accordance with section
19 401 of this Code; ~~or.~~
- 20 c. Direct staff to impose by resolution a limit such that no
21 development order shall be issued permitting
22 construction which exceeds entitlement density or
23 entitlement intensity. Entitlement density and entitlement
24 intensity are established by the Palm Beach County
25 Comprehensive Plan, Land Use Element.
- 26 ~~cd.~~ Add or modify conditions or ~~p~~Permit the property
27 owners to initiate a petition to modify or add conditions,
28 as directed by the Board. New or modified conditions
29 for the development approval may include bringing the
30 development into conformity with current ~~standards,~~ or
31 codes and regulations.
- 32 ~~de.~~ Direct staff to cite the property owner for violating the
33 provisions of this Code; ~~or.~~
- 34 ~~ef.~~ Grant a time extension for a period not to exceed twelve
35 (12) months during which time the property owner shall
36 complete the time certain requirements according to the
37 terms of the original approval. The term of the time
38 extension shall commence upon the expiration of the
39 date to complete the time certain activity or the
40 expiration of the last extension, whichever is applicable.
41 When the Board approves the extension of time for the
42 payments of fees, the amount due shall increase by an
43 interest payment equal to twelve (12) percent a year. If
44 the extension is for less than a year, the interest shall
45 be pro-rated.

Part 7. Section 402.6.H.2., Compliance with Conditions of Approval and Time Certain Requirements, is hereby amended to add the following to subsection H.2.:

H. Procedures for suspension of development permits upon expiration of time certain requirement, failure to comply with condition of development approval, or expiration of time extension:

1. Upon expiration of any time period established by section 402.6, or any failure to comply with a condition of development, no new development permits affecting the property shall be issued by Palm Beach County until a final determination is made by the Executive Director, or designee, or Board of County Commissioners, pursuant to subsections D. and F., above.

2. If the Board of County Commissioners directs staff to: ~~initiate a petition to rezone the property or revoke the special exception, or permits the property owner to file a petition, no new development permits shall be issued for the property until completion of the process. If the Board of County Commissioners finds that the property owner has complied with the condition of development or grants a time extension, or fails to act on staff recommendation within the prescribed time period, or if the Executive Director or designee grants an administrative time extension, the issuance of new development permits shall immediately resume.~~

a. ~~Initiate a petition to rezone the property, revoke the special exception, or permit only entitlement density/intensity or permits the property owner to file a petition, no new development permits shall be issued until the completion of the zoning process.~~

b. ~~Cite the property owner for violating the provisions of the Code, no new development permits shall be issued until the alleged violation has been acted upon by the Code Enforcement Board, and any penalty is satisfied.~~

3. ~~If the Board of County Commissioners fails to act on staff recommendation within the prescribed time period, or if the Executive Director or designee grants an administrative time extension, the issuance of new development permits shall immediately resume.~~

~~3.4.~~ The decision of the Board of County Commissioners shall be rendered within ~~ninety (90)~~ one-hundred twenty (120) days of receipt of the report of the Executive Director, provided that the applicant has not requested a postponement of the matter.

Part 8. A new section 402.8 is created as follows:

402.8. Use of Special Exception Approval.

A. When a special exception is granted concurrent with a rezoning, development of the site is limited to the uses and site design shown on the site plan approved by the Board of County Commissioners. Any modifications must be approved by the Board of County

Commissioners unless the proposed use or design changes are permitted pursuant to section 402.7.E.2.(b). (Site Plan Review Committee Powers and Standards of Review), above.

B. When a special exception is granted for a property where appropriate zoning was already in place, the special exception shall be subject to section 402.9, below, if it is not used within two (2) years of the approval, or within the time period otherwise provided for in this Code. In cases where a special exception is granted without a concurrent rezoning, permitted uses in the zoning district are allowed on-site in addition to or in place of the approved special exception use, unless prohibited by existing conditions of approval or any applicable ordinance.

Part 9. Section 402.9.E., Mandatory Review of Development Approvals, Decision by the Board of County Commissioners, is hereby amended by adding the following:

E. Decision by the Board of County Commissioners.

1. The Board of County Commissioners shall consider the factors enumerated in subsection D.2. above.
2. After deliberation, the Board of County Commissioners shall either take one or more of the following actions:
 - a. Direct staff to initiate a petition to rezone the property to an appropriate zoning district, in accordance with section 401 of this Code.
 - b. Direct staff to initiate a petition to revoke the special exception ~~and to rezone, if appropriate~~ in accordance with section 401 of this Code, and, if applicable, any associated Certificate of Concurrence or concurrence finding.
 - c. Direct staff to impose by resolution a limit such that no development order shall be issued permitting construction which exceeds entitlement density or entitlement intensity. Entitlement density and entitlement intensity are established by the Palm Beach County Comprehensive Plan, Land Use Element.
 - ed. Continue to suspend development rights until the property complies with the Adequate Public Facilities Ordinance ~~and/or~~ until the property owner files a new petition and the petition is approved by the Board of County Commissioners.
 - de. Add or modify conditions or permit the property owner to initiate a petition to ~~a~~Add or modify conditions, as directed by the Board. New or modified conditions may ~~including the requirement to conform~~ include bringing the development into conformity with current codes and regulations; ~~if applicable~~.
 - ei. Grant a time extension for a period not to exceed twelve (12) months, during which time the property owner shall commence development. The terms of the time

extension shall begin either two (2) years from the date of the resolution approving the rezoning or special exception, or upon the expiration of an extension of time, whichever is applicable.

Part 10. Section 403.2., Board of Adjustment, Powers, Duties, Authority and Functions, is amended to add new subsection D., as follows:

403.2 Powers, Duties, Authority and Functions.

D. In the case where a variance is required for building setbacks from the Board of Adjustment and building separation from the Construction Board of Adjustment and Appeals, the variance from the Board of Adjustment shall not be required. The ruling of the Construction Board of Adjustment and Appeals shall prevail.

Part 11. Section 404.2.d., Nonconforming Uses, Change in Use, is amended to add the following:

404.2 Nonconforming uses. Nonconforming uses of land may continue in accordance with the provisions of this subsection.

D. Change in use. A nonconforming use shall not be changed to any other use, unless any new or additional use conforms to the provisions of this Zoning Code for the Zoning District in which the use is located. A nonconforming use physically superceded on a site by a permitted or special exception use may not be reestablished.

Part 12. Section 404.4.A.3., Nonconforming Lots, Residential Developments, Property Development Regulations, is amended to add the following to subsection A.3.:

404.4 Nonconforming lots. There are two types of nonconforming lots: (1) those legally created prior to the adoption of the Palm Beach County Subdivision Code (February 5, 1973); and (2) those legally created after the adoption of the Palm Beach County Zoning Code (February 2, 1973) which became nonconforming due to amendments to this Code or due to subsequent Comprehensive Plan provisions.

A. Residential Development. A single family dwelling and customary accessory uses may be developed on a single lot, tract or parcel of land, if:

3. Property development regulations. The proposed use is permitted and the single lot, tract or parcel of land meets the minimum property development regulations that are generally applicable in the Zoning District in which it is located, except for the minimum lot area and dimensions, minimum yard setback requirements, maximum lot coverage and maximum total floor area. If the single lot, tract or parcel of land does not meet the setback and lot coverage regulations of the underlying

Zoning District, it shall conform to the following minimum yard setback, and maximum lot coverage requirements.

- a. Minimum Yard Setback Requirements.
- | | |
|-----------------|---------------|
| Front | 30% of depth. |
| Side (corner) | 20% of width. |
| Side (interior) | 15% of width. |
| Rear | 20% of depth. |

For lots one and one-quarter acres, or smaller, a twenty five foot (25') setback may be substituted for any of the percentage setbacks. All setbacks shall be measured from the base building line.

Part 13. Section 500.3.E.2.b.(4), Excavation, Regulation of Excavation Activities, Type 1 Excavation, Standards for Type 1 Excavation, Setbacks, is amended to delete and insert the following language:

- (4) Setback. No excavation shall be conducted within fifteen (15) feet of an adjacent property line, nor within ~~one hundred feet (100')~~ fifty (50) feet of any potable water well, pursuant to Palm Beach County Environmental Control Rule.

Part 14. Section 500.4., Solid waste transfer stations, is amended to add references to recycling stations as follows:

500.4. Solid waste transfer and recycling stations.

In addition to the requirements of section 401.2.A. and B., the following requirements and regulations shall be used.

A. Purpose and scope. The purposes of this section are to:

- ~~This section shall provide for the collection, transport, and transfer for disposal~~ Provide for the siting of solid waste transfer and solid waste recycling stations in a manner which protects the public safety, health, welfare, and air quality and soil quality from the deleterious effects of improper solid waste handling or disposal;
- Ensure the availability of adequate lands to accommodate the solid waste disposal needs of current and future residents and businesses;
- Protect the character and stability of areas and neighborhoods located near solid waste transfer and recycling stations;
- Provide regulations for temporary storage, sorting or processing of discarded material for its ultimate use or disposal elsewhere; and
- Implement the Goals, Objectives and Policies of the Palm Beach County Comprehensive Plan.

1 B. Setbacks: Standards applicable to the review of solid waste
2 transfer and recycling stations. When considering an
3 application for a solid waste facility under this section, the
4 Planning Commission and Board of County Commissioners
5 shall consider and ensure that all of the following standards are
6 met.

7 1. The proposed solid waste transfer or recycling station
8 is consistent with the Goals, Objectives and Policies of
9 the Palm Beach County Comprehensive Plan and this
10 section.

11 2. The proposed solid waste transfer or recycling station
12 is properly located and buffered to ensure compatibility
13 with surrounding land uses.

14 3. To ensure land use compatibility with surrounding uses,
15 adequate setbacks, and screening and buffering around
16 the perimeter of the proposed solid waste transfer and
17 recycling station, shall be required at the time the facility
18 is constructed. Required minimum lot size, setbacks,
19 screening and buffering shall include, but shall not be
20 limited to the following:

21 a. No part of a transfer station or its accessory
22 ramps and access roads shall be located
23 within twenty-five (25) feet of any highway,
24 drainage canal, lake, stream, navigable
25 waterway or property line.

26 b. No part of a materials recycling facility,
27 including storage areas, shall occur within one
28 hundred and fifty (150) feet of any property
29 line. The minimum lot size for these facilities
30 is fifteen (15) acres.

31 c. Perimeter landscape buffer strips with minimum
32 width of twenty five (25) feet.

33 ~~C. Fencing and screening:~~

34 d. Screening around the perimeter of the site,
35 consisting of a hedge, earthen berm, fence or
36 wall which will present a solid visual screen at
37 least six (6) feet in height when adjacent to
38 property designated as residential or
39 commercial. The commission may also require
40 screening of at least seventy-five (75) percent
41 opaqueness to protect neighboring property
42 from potential loss of use or diminution of land
43 value or use. ~~Where deemed necessary by~~
44 ~~the commission to protect the general public,~~
45 ~~safety fences of up to a height of six (6) feet~~
46 ~~may be required.~~

4. All buildings and structures accessory to the operation shall comply with all applicable codes of Palm Beach County and the State of Florida.

CD. Access. An access road, negotiable by loaded collection vehicles, shall be provided to the entrance of the facility. Acceptable access does not include residential streets. Access shall be restricted to specific entrances with gates which can be locked at all times and which carry official notice that only authorized persons are allowed on the site.

DE. Drainage. All drainage facilities shall be approved by the county engineering department and all other appropriate governmental agencies and in no case will untreated surface water runoff be permitted to discharge directly into lakes, streams, drainage canals or navigable waterways other than into or through approved on-site containment areas.

EF. Performance standards. The operation of these facilities shall conform to all rules and regulations of all governmental agencies having appropriate jurisdiction and to the performance standards of this Code.

F. Supplemental application requirements. In addition to the requirements of zoning code section 401.1 (District Boundary Changes), Section 401.2 (Special Exception), and the application of the Zoning Division, applications for transfer stations or recycling facilities shall include the following:

1. Graphic illustration and narrative analysis of year round access routes to the site.

2. An explanation of the type of facility requested. It shall include a description of the proposed method of operation, including special waste handling procedures and limitations.

3. An estimate of the quantity of waste to be received, expressed in cubic yards per day or tons per day.

4. A statement specifying the hours of operation.

Part 15. Subsection 500.16.B., Performance Standards, Miscellaneous Standards, is retitled and relettered to Section 500.16. (subsection 500.16.A., Traffic Performance Standards, has previously been repealed in its entirety). Existing subsections 500.16.B.1, Scope, and 500.16.B.2, Noise, are amended, relettered, and renumbered as shown below.

~~500.16—Performance Standards.~~

500.16.A: Miscellaneous standards.

~~1.A.~~ Scope. All uses and activities permitted as of right, special exception, or special permit in any district shall conform to the standards of performance described below and shall be so constructed, maintained, and operated so as not to be injurious or offensive to the occupants of adjacent premises by reason of the emission or creation of noise,

vibration, smoke, dust or other particulate matter, toxic or noxious waste materials, odors, fire and explosive hazard or glare.

2.B. Noise.

a.1. Title. This Ordinance may be cited as the Palm Beach County Noise Ordinance.

~~b. Declaration of legislative finding. The intent and purpose of this ordinance is to eliminate, regulate and restrict sources and occurrences of noise and disturbances which interfere with the peaceful enjoyment of residential property and which are contrary to public welfare and constitute a nuisance to the public at large.~~

2. Intent and Definitions.

c.a. Declaration of Intent. The intent and purpose of this Ordinance is to eliminate, regulate and restrict sources and occurrences of noise and disturbances which interfere with the peaceful enjoyment of residential property and of which are contrary to public welfare and or constitute a nuisance to the public at large.

d.b. Definitions. As used in this subsection, unless the context clearly indicates otherwise, the terminology defined below shall be applicable. Any terminology not defined below shall be interpreted in conformance with the applicable publication of the American National Standards Institute or its successor body.

1) **A-WEIGHTED SOUND PRESSURE LEVEL** means the sound pressure level as measured with a sound level meter using the A-Weighting Network. The standard notation is dB(A) or dBA.

2) **ANSI** means the American National Standards Institute or its successor bodies.

3) **COMPLAINING PROPERTY** means that property which is included in a residential district receiving sound levels including but not limited to lots, parcels, tracts, or individual dwelling units.

4) **CONSTRUCTION WORK** means any site preparation assembly, erection, substantial repair, alteration, demolition or similar action, on public or private rights-of-way, structures, utilities or similar property pursuant to lawful authority.

~~5) COUNTY means Palm Beach County, Florida.~~

- 1
2
3
4
5
- 6)5) dBA means the total sound level of all noise as measured with a sound level meter using A- Weighting Network. The unit is decibel based on a reference sound pressure of .0002 micro- bars.
- 6
7
- 6) DECIBEL means a unit of sound pressure level, abbreviated as dB
- 8
9
10
- 7) ~~DIRECTOR means the Director of the Palm Beach County Planning, Zoning and Building Department or his authorized agent.~~
- 11
12
13
14
15
- 8)7) ENFORCEMENT OFFICIAL shall mean and refer to any person authorized to enforce the provisions of this Ordinance including, but not limited to Sheriffs, Zoning, Code Enforcement, Building or Health Inspectors.
- 16
17
18
19
20
- 9)8) EMERGENCY WORK means work made necessary to restore property to a safe condition following a calamity or work required to protect persons or property from imminent exposure to danger.
- 21
22
23
24
25
26
27
28
29
- 15)9) FIXED MECHANICAL EQUIPMENT shall mean mechanical equipment, such as an air conditioning unit, water cooling tower, swimming pool pump, irrigation pump, well water pump, fan, power generator or other similar power source equipment, permanently affixed to real property, as distinguished from temporary, portable, non-fixed mechanical equipment.
- 30
31
32
33
34
- 10) ~~PERSON means individuals, children, corporations, firms, associations, joint ventures, partnerships, estates, trusts, business trusts, syndicates, fiduciaries and all other groups or combinations thereof.~~
- 35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
- 11)10) RESIDENTIAL DISTRICT means any area which is zoned residential under the Palm Beach County Zoning Code Ordinance No. 73-2 as amended. As of the effective date of this Ordinance, these residential zones are AR, CRS, RE, RT, RTS, RTU, RS, RM and RH. Any creation of additional residential zones by amendment to the Zoning Code or rezoning of property to residential status which occurs after the effective date of this code shall be automatically included in the residential district for purposes of this Ordinance. Further, any boundary roads surrounding the residential district shall be deemed to be included in said district.

42)11) SOUND LEVEL means the weighted sound pressure obtained by use of a metering characteristic with an A-Weighting as specified in the ANSI specifications for sound level meters.

43)12) SOUND LEVEL METER means an instrument which includes a microphone, amplifier, and output meter, and frequency weighting networks for the measurement of noise and sound levels in a manner to meet ANSI standards.

14)13) SOURCE PROPERTY means the property from which the subject sound is originating including public or private streets, sidewalks or other public or open space areas.

3. Maximum Permissible Sound Levels.

e.a. Maximum Permissible Sound Levels; General Prohibitions. No person shall operate or cause to be operated any source of sound from any location in such a manner as to create a sound level which exceeds the limits set forth in [Section 500.16 B.2.e] Table 4 Table 500.16-1 of this section for inhabited residential and commercial receiving land more than ten percent (10%) of any measurement period, which period shall not be less than ten minutes when measured at or within the property boundary of the complaining property. For the purpose of this ordinance, inhabited shall mean regularly occupied by the complainant and occupied at the time of complaint. A violation of this Ordinance shall have occurred without the occasion of the measurements being made as provided herein if circumstances are such that the offending sound, because of its very nature, is usually loud and obviously offensive to a reasonable prudent person or ordinary sensitivity situated upon the complaining property.

Sound Level Measurement shall be made with a Type 2 or equivalent sound level meter using the A-Weighting Scale in accordance with the standards promulgated by of the American National Standards Institute (ANSI).

Measurement Location: All measurements shall be made with a sound meter at or within the boundary of the complaining property.

TABLE 500.16-1

MAXIMUM PERMISSIBLE SOUND LEVELS FOR INHABITED
RESIDENTIAL-RECEIVING LAND

Receiving Land	Noise Source	Time	Sound Level Limit
Inhabited Residential Land	Fixed Mechanical Equipment	Anytime	60 dBA
	All Others	7:00 am - 11:00 pm 11:00 pm - 7:00 am	60 dBA 55 dBA
<u>Receiving Land</u>	<u>Noise Source</u>	<u>Time</u>	<u>Sound Level Limit</u>
Inhabited Residential Property	Fixed Mechanical Equipment	Anytime	60 dBA
Inhabited Residential Property	All Other Noise	7:00 A.M. - 8:00 P.M. 8:00 P.M. - 11:00 P.M. 11:00 P.M. - 7:00 A.M.	60 dBA 55 dBA 50 dBA
Inhabited Commercial Property	All Noise	Anytime	70 dBA

fb. Specific Prohibitions. In addition to the general prohibitions set out above in Table 500.16-1, the following specific acts are declared to be in violation of this Ordinance.

- 1) Horns, Signaling Devices. The sounding of any horn or audible signal device of any motor vehicle, boat, train, engine, machine or stationary boiler of any kind except as required by law or as a danger warning and the sounding of any danger warning device for an unnecessary or unreasonable period of time is prohibited.
- 2) Radios, Television, Musical Instruments, and Similar Devices. ~~The operating or playing of any radio, television, phonograph, musical instrument, or similar device which produces or reproduces sound in such a manner as to exceed the levels set forth in [Section 500.16 B.2] Paragraph c, or The operating or playing of any radio, television, phonograph, musical instrument or similar device on the public rights-of-way or in public parks in a manner as to be plainly audible at a distance of one hundred (100) feet from the sound source.~~
- 3) Loud Speakers and Sound Amplifiers. The using or operating of any loud speaker, loud speaker system, sound amplifier or other similar device between the hours of 11:00 P.M. and 7:00 A.M. on weekdays and 11:00 P.M.

Highlighted language (e.g., the) indicates proposed new language.

Language crossed out (e.g., ~~the~~) indicates language proposed to be deleted.

July 24, 1990

Page 15

9:30 A.M.
Review of Ler Rosenthal,
Kris Kern 7/25/90. This
page accurately reflects
the BCC changes.
[Signature]

- 1 and 10:00 A.M. on weekends and holidays,
2 within or adjacent to an inhabited residential
3 area such that the sound therefrom is plainly
4 audible across the property line of the
5 inhabited residential property, however, this
6 section shall not apply to any public
7 performances, gatherings or parades lawfully
8 held. special events, such as parades, festivals
9 or sporting events. This exemption for special
10 events shall not apply to lounges, restaurants
11 or night clubs.
- 12 4) Street Sales Advertising. The use or operation
13 of any loudspeaker, sound amplifier or musical
14 instrument which produces or reproduces
15 sound which is cast or emitted upon the public
16 streets and sidewalks for the purpose of
17 commercial advertising or for attracting the
18 attention of the public to any particular
19 building, structure or place when such sound
20 that is emitted is plainly audible across the
21 property line of any inhabited residential
22 property.
- 23 5) Machinery Construction Work. The operation
24 of any machinery, demolition equipment,
25 construction equipment, excavating equipment,
26 power tools, equipment of semi-mechanical
27 devices or undertaking construction work
28 which emits sound across the property line of
29 an inhabited residential property between the
30 hours of 10:00 P.M. and 7:00 A.M. However,
31 this subsection shall not prohibit the use of
32 temporary pumps or machinery which,
33 because of its very nature and purpose, are
34 required to be operated twenty-four (24) hours
35 a day.
- 36 6) Lawn Equipment. To operate lawn and garden
37 equipment which emits sound across the
38 property line of inhabited residential property
39 between the hours of 10:00 P.M. and 7:00
40 A.M..
- 41 ~~h.4.~~ Exemptions. The provisions of this subsection ~~3.~~ shall not apply
42 at any time to:
- 43 ~~4)a.~~ Sound emitted from the operation of motor vehicles
44 legally operating on any public right-of-way which are
45 regulated by Chapter 316, Florida Statutes, Uniform
46 Traffic Control Law; provided, however, that this
47 exemption shall not operate to exempt any sound
48 emitting device which may be physically attached to any
49 motor vehicles, such as radios, amplifiers, loud
50 speakers or other similar devices.

- 2)b. Any noise generated by interstate motor and rail carriers and aircraft or airport operations. Any other subjects to the extent preempted by applicable State or Federal laws or regulations.

- 4)d. Any noise generated by any government sanctioned activity conducted on public property, public assembly activities conducted on any public space or public right-of-way pursuant to lawful authority including sporting events.

- 5) ~~Noise produced by domestic power tools, lawn mowers and agricultural equipment, when operated with a muffler, between the hours of 7:00 A.M. to 10:00 P.M.~~

- ~~6) Noise emitted from a source located within the IG district or IL district as defined in the Palm Beach County Zoning Code.~~

- f. Non-amplified crowd noises at sporting events.

- g.5. Variance Procedure. Any person desiring relief from the provisions of this Ordinance may apply for a variance to allow the creation of sound levels that would be otherwise in violation of this Ordinance, pursuant to the procedures set forth in Section 403 of the Palm Beach County Zoning Code.

- 4)a. Additional time is necessary for the applicant to alter or modify the activity in order to comply with the provisions of this Article; or

- 2)b. The activity, operation or noise source will be a temporary duration and cannot be done in a manner that would comply with the provisions of this Article; and

- 3)c. No reasonable alternative is available to the applicant. Any variance granted pursuant to this section shall contain thereon all conditions upon which said variance has been granted, including but not limited to the effective date, time of day, location, sound level limit or equipment limitation and duration of variance.

i.6. Public Nuisance/Injunctive Relief. Any emission of noise from any source in excess of the limitations established in or pursuant to this Ordinance shall be deemed and is hereby declared to be a public nuisance. Upon receipt of written complaint of violation of this Ordinance, the ~~Director~~ enforcement officer may investigate and request the County Attorney to file injunctive proceedings to abate said nuisance. Such proceedings shall be cumulative and in addition to the penalties provided herein.

j.7. Other Remedies. Nothing in this section shall be construed to impair any cause of action at law or in equity by any person for injury, damages or other injunctive relief due to violations of this Ordinance.

Part 16. Section 500.16.B.3 through section 500.16.B.9., Performance Standards, Miscellaneous Standards, are relettered and renumbered to subsections 500.16.C. through 500.16.I. appropriately. The remaining text of existing section 500.16.B. remains unchanged.

~~3.C.~~ Vibrations.

~~4.D.~~ Smoke, Emissions, and Other Particulate Matter.

~~5.E.~~ Odors.

~~6.F.~~ Toxic or Noxious Matter.

~~7.G.~~ Radiation.

~~8.H.~~ Electromagnetic Radiation and Interference.

~~9.I.~~ Drainage

Part 17. Section 500.17, Off-Street Parking Regulations, Figure 500.17-1, Parking Stall Schematic, and Figure 500.17-3 are amended as shown on "Attachment 1" and "Attachment 2", respectively.

Part 18. Section 500.17.C.10.f., Off-Street Parking Regulations, Off-Street Parking, Construction and Design of Parking Areas, Ingress and egress to Vehicular Use Areas, has been relettered to section 500.17.C.10.j, as shown below.

~~f.j.~~ Ingress and Egress to Vehicular Use Areas

Part 19. Section 500.17.C.10.f.2., Off-Street Parking Regulations, Off-Street Parking, Construction and Design of Parking Areas, Ingress and Egress to Vehicular Use Areas, Dimensions of Ingress and Egress Areas, has been amended as follows:

2. Dimensions of ingress and egress areas. The dimensions listed below shall begin at the street and run the entire length of the driveway. This section does not apply to residential land uses.

Dimension at Street

Width (in feet)*

Minimum (one-way)	15
Minimum (two-way)	25
Without median	6
Minimum with median	48 40**
Maximum (without median)	35

Right turn radius (in feet)***

Minimum	20 15
Maximum	30

* Measured along right-of-way line at inner limit of curbed radius sweep or between radius and near edge of curbed island at least fifty (50) square feet in area. The minimum width applies principally to one-way driveways.

**Excluding median. Twenty foot unobstructed pavement shall be on both sides of median, excluding guard houses and landscape islands.

***On side of driveway exposed to entry or exit by right- turning vehicles.

Part 20. Section 500.17, Schedule 500.17-1, Off-Street Parking Regulations, Minimum Number of Off-Street Parking Spaces, is amended to add and delete language in selected parts of the schedule, as shown. The remainder of Schedule 500.17-1 remains unchanged.

Commercial

<u>Use Classification</u>	<u>Minimum Off-Street Parking Requirements</u>	<u>Loading Requirements</u>
Automotive Paint and Body	4 spaces per 1,000 square feet GFA ⁴	N/A
Car Wash Self Service or Automatic as principal use	4 spaces per 1,000 square feet GFA plus a 10 by 20 foot area adjacent to each vacuum or detailing area	N/A
Funeral Homes, Mausoleums and Crematories	1 space per 4 person seating capacity 4 spaces per 1,000 square feet GFA plus 1 space per each 3 seats	C
Drive in Restaurant	30 per 1,000 square GFA 25 spaces minimum	C

⁴ Vehicles shall not be stored in view such that they are seen off-site. A snow solid six (6) foot fence or vegetation may be used to screen the vehicles from view.

Civic and Institutional Uses

College and University, Trade, Vocational and Seminary Facilities:		
a. Student Parking	2 1 space per 2 students	C
b. Gymnasiums/Auditoriums	1 space per 4 seats	
c. Administrative, Educational, and Office	1 space per 300 square feet	
Day Care Services (with less than 100 children)	1 space per 250 square feet GFA, plus a minimum of 5 visitor spaces 1 space per employee, plus 5 transient spaces¹⁰	N/A N/A
Day Care Services (with 100 or more children)	1 space per employee, plus 10 transient spaces ¹⁰	N/A
Government Services	1 space per employee (maximum shift), 1 space per 3 fixed seats of public assembly room	N/A
Library	5 spaces per 1000 square feet, plus 1 space per employee	N/A
Public and Private Secondary Educational Facilities Grades 9 through 12	1 space per employee plus 0.25 space per student	C

MISCELLANEOUS USES AGRICULTURAL USES

Agricultural Accessory	1 space per employee (maximum shift) 5 spaces minimum (accessory storage building and barns do not require parking)	N/A
------------------------	---	-----

Part 21. Section 500.18.C., Regulations for the Parking, Storing, or Keeping of Commercial Vehicles, Boats, Buses, Trailers, and Trucks, Motor Vehicles Prohibited or Restricted in Residential Districts, is amended to change the title of subsection C., and make other amendments to subsection 1., as follows:

500.18.C. Regulations for the Parking, Storing, or Keeping of Commercial Vehicles, Boats, Buses, Trailers, and Trucks.

C. Motor Vehicles Prohibited or Restricted in Residential Districts.

1. It shall be unlawful for any owner, agent, operator, or person in charge of any bus, pole trailer, semi-trailer, trailer, trailer coach (house

¹⁰ Such facilities shall provide clear ingress and egress, and a convenient passenger drop-off area located adjacent to the building and out of the primary travel lanes may be substituted for two of the transient spaces.

trailer), truck and/or truck tractor, as previously defined in this Code, to park, store or keep such motor vehicle on any public street, avenue, alley, or other thoroughfare or any right-of-way therewith within any residential district in the County of Palm Beach for a period exceeding one (1) hour in any twenty-four hour period, each such period commencing at the time of first stopping or parking unless a permit is first obtained from the sheriff's department. Industrial and commercial districts are exempt from this requirement.

Part 22. Section 500.21.E.11.g.(2), Planned Unit Development, General Requirements, Planned Unit Development Procedure, Final Master Plan Certification, Phasing Controls, is amended to delete reference to subsection E. of section 402.9., as follows:

500.21 Planned Unit Development

E. General requirements and special regulations. The following general requirements and special regulations shall apply to all planned unit developments.

11. Planned Unit Development Procedure.

g. Final Master Plan Phasing Controls.

2. Phasing Controls. If the final master land use plan is to be developed in phases or stages requiring more than one (1) final plat, successive plats must be filed to that construction and development activity shall be of a reasonable continuous nature; but in no event shall more than two (2) years plus one (1) additional two-year extension period elapse between the filing of successive plats. Upon the expiration of any time period established by this section, the approval for the planned unit development shall be subject to mandatory review as provided in section 402.9.E. of this Code. Should a planned development be constructed in phases requiring more than one (1) plat, the following sequence must be adhered to:

Part 23. Subsection 500.21.L.6.(b), Planned Unit Development, Property Development Regulations - Commercial Use, Special Regulations, Operating Hours, is amended as follows:

500.21 Planned Unit Development

L. Property Development Regulations for Planned Unit Developments - Commercial Use.

6. Special Regulations

(b) Operating hours. No commercial use shall commence outdoor business activities (including delivery and stocking operations) prior to 6:00 A.M. nor continue activities later

1 than outdoor business activity after 11:00 P.M. ~~except as~~
2 ~~otherwise provided in this Code.~~ The Board of County
3 Commissioners, as part of a development approval, may
4 alter these or set additional limits on any hours of operation
5 depending on the compatibility of proposed use with
6 adjacent uses.

7 Part 24. Section 500.22.E.4. Mobile Home Rental Parks, General Requirements and Special
8 Regulations for Mobile Home Rental Parks (MHRP), Authorized Uses, is amended
9 to add and delete language as follows:

10 500.22. Mobile Home Rental Parks

11 E. General requirements and special regulations for mobile home
12 rental parks (MHRP).

- 13 4. Authorized Uses.
14 Mobile home and its customary use.
15 Public operated parks and recreation areas or other facility
16 operated by a nonprofit organization.
17 Accessory structures such as an enclosed porch, screened
18 enclosure, shed, and carport. ~~as an accessory to a mobile~~
19 ~~home residence.~~

20 Part 25. Section 500.22.K.1. Mobile Home Rental Parks, Property Development Regulations
21 for MHRP Developments - Residential Uses, Minimum Yard Setback
22 Requirements, is amended to add a new subsection d.

23 500.22. Mobile Home Rental Parks.

24 K. Property Development Regulations for MHRP Developments -
25 Residential Uses.

- 26 1. Minimum Yard Setback Requirements.

27 d. Mobile home rental parks legally permitted under ordinances
28 other than Ordinance No. 73-2, as amended, shall be
29 permitted to develop or redevelop according to the
30 regulations in place at the time of the approval. This
31 provision shall not authorize any new mobile home or
32 attached accessory structure to violate the required building
33 separation of the Palm Beach County Fire Code.

34 Part 26. Section 500.22.N.1. Mobile Home Rental Parks, Permanent and Temporary
35 Structures and Facilities, is amended to add a new subsection e. in subsection
36 1., as follows:

37 500.22. Mobile Home Rental Parks

38 N. Permanent and temporary structures and facilities.

- 39 1. Permanent structures and facilities may be allowed under
40 the following conditions for the following uses:

41 e. Mobile home accessory structures or additions that
42 conform to all applicable codes of Palm Beach
43 County. The total combined area of all such

1 additions, except carports, shall not exceed the gross
2 area of the mobile home itself.

3 Part 27. Section 500.24.K.2., Mobile Home Condominium Park, Property Development
4 Regulations for MHCP Developments - Residential Uses, Minimum Yard Setback
5 Requirements, is amended to add the following paragraph as follows:

6 500.24. Mobile Home Condominium Park.

7 K. Property Development Regulations for MHCP Developments -
8 Residential Uses.

9 2. Minimum Yard Setback Requirements.

10 Mobile home condominium parks legally permitted under
11 ordinances other than Ordinance No. 73-2, as amended,
12 shall be permitted to develop or redevelop according to the
13 regulations in place at the time of the approval. This
14 provision shall not authorize any new mobile home or
15 attached accessory structure to violate the required building
16 separation of the Palm Beach County Fire Code.

17 Part 28. Section 500.28.B.6., Exceptions to Property Development Regulations, Yard, Utility
18 Buildings and Structures Accessory to Primary Residential Uses, is amended to
19 add the following:

20 500.28 Exceptions to Property Development Regulations.

21 B. Yard

22 6. Utility Buildings and Structures Accessory to Primary
23 Residential Uses. An accessory or subordinate structure
24 (except guest cottages or accessory apartments) may be
25 constructed in any residential district, a distance of ten (10)
26 feet from the rear property line or at least two (2) feet from
27 any established easement in the rear, whichever is the
28 greater distance, provided that there is adherence to the
29 side yard setback requirements and further provided that
30 said structure shall not be permitted to occupy more than
31 twenty-five (25) percent of the distance between said
32 property lines. All structures used as dwellings shall meet
33 the required setbacks of the principal use.

34 Part 29. Section 500.30.B.2., Townhouse Cluster, Development Regulations, Setbacks, is
35 amended follows:

36 500.30. Townhouse Cluster.

37 B. Development Regulations.

38 2. Setbacks.

39 a. Any townhouse cluster having not more than two
40 (2) units shall meet the following minimum yard
41 setback requirements:

1		One and Two	Three
2		Story	Story
3		Building Height	Building Height
4		25'	35'
5	Front	25 feet	30 feet
6	Side lot (interior)	7.5 feet	25 feet
7	Side lot (corner)	15 feet	25 feet
8	Rear	15 feet	25 feet
9	b.	Any townhouse cluster having more than two (2)	
10		units shall meet the following minimum yard	
11		requirements:	
12		One and Two	Three
13		Story	Story
14		Building Height	Building Height
15		25'	35'
16	Front	25 feet	30 feet
17	Side lot (interior)	(1) A townhouse having two (2)	
18		party walls shall have no side interior	
19		yard requirements.	
20		(2) End units shall have to meet	
21		the following side yard requirements:	
22		RM: 15 feet	RM: 25 feet
23		RH: 20 feet	RH: 25 feet
24	Side lot (corner)	25 feet	25 feet
25	Rear	25 feet	25 feet

26 Part 30. Section 500.30.C., Townhouse Cluster, Accessory Building and Structures, is
27 amended follows:

28 500.30 Townhouse Cluster.

29 C. No detached accessory buildings or structures other than
30 permitted fences or walls shall be permitted on any lot less than
31 thirty (30) feet in width. Those lots having at least thirty (30) feet
32 in width shall comply with the accessory use requirements
33 pursuant to sections ~~605.B. and 606.B.~~ 500.1 (accessory buildings
34 and structures) where applicable.

35 Part 31. Section 500.35.F.1., Landscape Code, Procedure, General, is amended as follows:

36 F. Procedure

37 1. General

38 a. Prior to the issuance of a building permit or a paving permit
39 for any development except a single-family dwelling or
40 duplex residence, a landscape plan which has been
41 prepared by and bears the seal of a landscape architect
42 authorized to prepare landscape plans by Chapter 481, Part
43 II (Landscape Architecture), of Florida Statutes, shall be
44 submitted to, reviewed by, and approved by the
45 Department, pursuant to the terms of this section.

- b. Prior to the issuance of a building permit or a paving permit for a single-family dwelling or duplex residence, a landscape plan which does not have to be prepared by, or bear the seal of a landscape architect or other licensed professional shall be submitted to, reviewed by, and approved by the Department, pursuant to the terms of this section.

Part 32. Section 500.37.B., Congregate Living Facilities, Applicability, is amended to insert the following:

500.37 Congregate Living Facilities.

- B. Applicability. In addition to the requirements of ~~See section 401.1.A., B.,~~ the requirements of this section shall apply to all Congregate Living Facility within unincorporated Palm Beach County. These standards shall prevail over less restrictive standards applicable to such Facilities imposed by the Zoning Code or otherwise by law. All CLF's for residents other than housing for children, aged persons, physically disabled persons, developmentally disabled persons as defined in Sec. 393.0631(6), Florida Statutes, non-dangerously mentally ill persons as defined in Sec. 394.455(3), Florida Statutes, safe house shelters, or maternity homes excluding birthing centers, and clinics shall be subject to the requirements of ~~See section 401.2 (Special Exceptions).~~ Except as otherwise provided, a CLF, type 2 requires a special permit and a CLF, type 3 requires a special exception.

Part 33. Section 500.37.E., Congregate Living Facilities, Location, Concentration and Neighborhood Compatibility, is amended to add and delete the following language:

500.37 Congregate Living Facilities.

E. Location, concentration and neighborhood compatibility.

1. In general. No approval for a congregate living facility shall be granted unless it satisfies the following criteria for location, concentration and neighborhood compatibility. ~~For the purposes of the required separation below, measurements shall be made from structure to structure, except where the separation required is between a structure and a zone. In this case, the separation is measured from structure to zone boundary.~~
2. Location of congregate living facility, type 1. A congregate living facility, type 1 may be located wherever single-family residences are permitted provided that such facilities shall not be located within one thousand (1,000) feet of another such facility. ~~A CLF type 1 unable to meet this separation requirement may petition for variance relief, pursuant to section 403 (Board of Adjustment), below.~~
3. Location and congregate living facilities, types 2 and 3.
 - a. Mandatory standards.
 - (1) A Congregate Living Facility, Type 2, ~~Category A housing type,~~ may be permitted in all residential Zoning Districts that allow multiple family dwelling

1 units as permitted uses. A proposed CLF, Type 2
2 which shall occupy a Category B or C housing type
3 may also be permitted in all residential zoning districts
4 that allow multiple family dwellings as permitted uses,
5 provided that it is not located within a radius of: (1)
6 twelve hundred feet (1200') of another Congregate
7 Living Facility Type 2; and (2) ~~shall not be within a~~
8 ~~radius of five hundred feet (500') from a property~~
9 ~~zoned CRS, RTS, RS, RTU, RE, or RT-a Zoning~~
10 ~~District that allows single family dwelling units as~~
11 ~~permitted uses if the proposed Congregate Living~~
12 ~~Facility, Type 2 is a Category B or C Housing Type.~~
13 A Category B or C Congregate Living Facility, Type
14 2 that does not comply with these spacing
15 requirements may be permitted locate in all residential
16 Zoning Districts that allow multiple family dwelling
17 uses as permitted uses, as a special exception use
18 after compliance with the conditions and provisions
19 of Chapter 1, Section 102, Chapter IV, Sections 400,
20 400.1, 401 and the other regulations as required by
21 this Zoning Code.

22 Part 34. Section 500.44.B.1.b., Amateur and Citizen's Band Radio and Television Antenna
23 Structures, Application, Approval of Antennas and Antenna Support Structures,
24 Approval and Permits, is amended to add the following language:

25 b. Approval and Permits. Zoning Division approval shall be required for the
26 installation of those antenna support structures and the beam antenna
27 installed on these support structures, extending more than thirty five feet
28 (35') above ground. A permit shall be obtained from the Building Division
29 prior to the erection or installation of any system requiring Zoning
30 approval or extending more than ten feet (10') above the last anchorage.
31 The "last anchorage" shall mean the connection at grade level or the
32 connection to a permanent structure.

33 Part 35. Section 500.45, Stands for Sale of Agricultural Products, is retitled, renumbered,
34 and amended as follows:

35 500.45 ~~Stands for Sale of Agricultural Products~~ Outdoor Retail Sales.

36 A. Purpose and Intent. It is the intent of this section to establish
37 guidelines for regulating outdoor retail sales. The regulations
38 contained in this section are intended to promote land use
39 compatibility, traffic and pedestrian safety, and a positive
40 community appearance. The standards provide reasonable
41 consideration for the character of the districts and their particular
42 suitability for these uses. Any sale within the right-of-way of Palm
43 Beach County shall be subject to the applicable requirements of
44 the Palm Beach county Department of Engineering and Public
45 Works.

46 B. Temporary Sales. Temporary seasonal sales, such as Christmas
47 tree or fireworks, or special event sales, such as furniture, plants,
48 or toy sales, which require a tent or temporary structure, excluding
49 trailers, shall:

50 1. Be located in a CG-General Commercial Zoning District;

2. Have the permission of the property owner;
3. Obtain a special permit from the Zoning Division;
4. Meet all required setbacks of the district;
5. Not exceed sixty (60) days in duration;
6. Meet the requirements of the Off-Street Parking section (500.17) of the Zoning Code;
7. Not be located within safe distance triangles, as defined in Section 500.35.8.a. and 8.b.;
8. Not have more than one (1) tent or structure per lot; and
9. Meet requirements of the outdoor lighting standards, Section 500.43.

C. Mobile Sales. Mobile sales, such as food or flowers, must be conducted from a portable stand and shall:

1. Be located in the CG-General Commercial or CC-Community Commercial Zoning Districts;
2. Have the permission of the property owner;
3. Not be located in any required parking spaces;
4. Not be located in any landscape buffer;
5. Not be located in any driveway aisles or loading areas or interfere with on site circulation;
6. Not be located within safe distance triangles, as defined in Section 500.35.8.a. and 8.b.;
7. Be the only outdoor vendor on the lot; and
8. Be removed from the site at night.

D. Stands for Sale of Agricultural Products. Any roadside stand used for the sale of agricultural products, not necessarily grown on site, may be located only in the AR-Agricultural Residential, CRS-Country Residential, CC-Community Commercial, and CG-General Commercial Zoning Districts and shall be subject to the following standards:

- A.1. No stand shall exceed three hundred (300) square feet of gross floor area;
- B.2. The stand shall maintain mobility of some type, such as wheels or skids;
- C.3. No stand shall be any closer than six hundred feet (600') to any other stand and there shall be only one (1) stand for each parcel of land;

1 ~~D.4.~~ The stand is set back fifty feet (50') or more from the
2 pavement or zero feet (0') feet from the base building line,
3 whichever distance is greater; and

4 E.5. The stand shall not be located within one hundred feet
5 (100') of the intersection of the right-of-way lines of any two
6 (2) dedicated roads.

7 E. Transient Sales. Transient sales which travel to several locations
8 in one day, such as lunch wagons, door-to-door salesmen, or ice
9 cream trucks are:

10 1. Permitted to travel to any business or residence; and

11 2. Not permitted to park in any one location for more than two
12 (2) hours.

13 Part 36. Section 500.46.C., Accessory Apartments for Elderly and Handicapped, is
14 amended to insert and delete the following language:

15 C. The accessory apartment shall be ~~of a design~~ compatible in character
16 and subordinate in size to ~~with the principal residential structure, shall be~~
17 ~~subordinate to the principal residential structure, and~~ Accessory
18 apartments shall also comply with the minimum yard setbacks ~~of the AR~~
19 ~~District, and applicable to the principal residential structure.~~

20 Part 37. Section 601.C., AGR-Agricultural Reserve District, Uses Subject to Special Permit
21 Regulations, is amended to insert and delete the language shown below. The
22 remainder of section 601.C. remains unchanged.

23 C. Uses subject to special permit regulations. In the AGR District, the
24 following buildings, structures, and uses shall be permitted pursuant to
25 Sec. 401.6, after compliance with the following special regulations:

26 ~~An a~~ Accessory apartments for elderly ~~and or~~ handicapped. (subject to
27 Sec. 500.46.).

28 Part 38. Section 601.D., AGR-Agricultural Reserve District, Special Exception Subject to
29 Commission Approval, is amended as follows:

30 D. Special exceptions subject to Commission approval. When the Board of
31 County Commission determines as a fact, after the review of the
32 application and plans submitted therewith, that the conditions and
33 provisions of Chapter I, Sec. 102, Chapter IV, Sections 400, 400.1, 401,
34 and other regulations as set forth and defined in the Zoning Code have
35 been met, and when the proposed use or uses are consistent with good
36 zoning practice and are not contrary to the policies of the Palm Beach
37 County Comprehensive Plan, the following uses shall be allowed as
38 special exception uses:

39 Public and private utility services and accessory buildings and structures,
40 including, but not limited to the following: (Subject to moratorium until the
41 Comprehensive Plan has been amended to reflect findings of study
42 described in 601.A Purpose and intent, (unless agriculturally related)):

43 Electrical power facilities. (subject to Sec. 500.42).

44 Gas and water regulation station.

45 Incinerator. (subject to Sec. 500.5).

1 Water and wastewater treatment facilities. (subject to Sec. 500.41).
2 ~~Refuse and trash dumps.~~
3 Sanitary landfill. (subject to Sec. 500.5).
4 Telephone and exchange building and substation
5 Solid Waste Transfer and Recycling Station. (subject to Sec.
6 500.4)

7 Part 39. Section 601.E., AGR-Agricultural Reserve District, Property Development
8 Regulations, is amended as follows:

9 E. Property development regulations.

10 1. Minimum lot ~~size~~ area and dimensions.

11 Area: 10 acres.
12 Width: 300 feet
13 Depth: 300 feet
14 Frontage: 300 feet

15 2. Minimum yard setback requirements.

16 Front: 100 feet
17 Side (interior): 50 feet
18 Side (corner): 80 feet
19 Rear: 100 feet

20 3. Maximum building height, and total floor area, ~~and lot coverage.~~

21 Maximum Building Height: 35 feet.

22 All ~~agricultural processing and research buildings and accessory~~
23 ~~uses structures~~ requiring a height greater than thirty five feet (35')
24 shall be permitted, provided the minimum yard setback
25 requirements of this section ~~Chapter 601.E.1.~~ are met, as well as
26 ~~an additional in addition to a~~ three foot (3') setback for all yards
27 for each ten feet (10') in height or fraction thereof above thirty five
28 feet (35') in height.

29 Maximum Total Floor Area 10% of the total lot area.

30 ~~Maximum Lot Coverage: 10% of the total lot area~~

31 Part 40. Section 602.B., AP-Agricultural Production District, Permitted Uses., is amended
32 to delete language and insert in the appropriate alphabetical order language as
33 follows:

34 B. Permitted Uses. In the AP-Agricultural Preservation District, no building,
35 structure or and water use shall be permitted except for one (1) or more
36 of the following uses:

37 Agricultural accessory uses that are customary and incidental to general
38 farming uses, including, but not limited to the following:

39 Bailing stations.
40 Citrus Packing and grading plants.
41 Corrals.
42 Dipping vats.
43 Equipment storage sheds.

1 Forage drying facilities.

2 ~~Migrant and farm labor quarters and camps and accessory~~
3 ~~equipment and buildings.~~

4 Migrant and farm labor quarters and camps and accessory
5 equipment buildings and uses, all contained within a complex
6 designated to serve residents only. Accessory uses shall not be
7 subject to special exception requirements and may include water
8 and wastewater plants, places of worship, postal facilities and
9 recreational buildings.

10 Pre-cooling and packing plant.

11 Pumping and drainage structures.

12 Railway tracks.

13 Part 41. Section 602.C., AP-Agricultural Production District, Uses Subject to Special Permit
14 Regulations, is amended to add the language shown below. The remainder of
15 section 602.C. remains unchanged.

16 C. Uses subject to special permit regulations. In the AP District, the following
17 buildings, structures, and uses shall be permitted pursuant to Sec. 401.6,
18 after compliance with the following special regulations:

19 ~~An accessory apartment for elderly or handicapped, accessory to a bona~~
20 ~~fide farm residence (subject to section 500.46).~~

21 Part 42. Section 602.D., AP-Agricultural Production District, Special Exceptions Subject to
22 Commission Approval, is amended to insert and delete the language shown
23 below. The remainder of section 602.D. remains unchanged.

24 D. Special exceptions subject to Commission approval. When the
25 Commission determines as a fact, after the review of the application and
26 plans submitted therewith, that the conditions and provisions of Chapter
27 1, Sec. 102, Chapter IV, Sections 400, 400.1, 401, and other regulations
28 as set forth and defined in this Zoning Code have been met, and when
29 the proposed use or uses are consistent with good zoning practice and
30 are not contrary to the policies of the Palm Beach County Comprehensive
31 Plan, the following uses shall be permitted:

32 ~~Agricultural transshipment operations as a principal use.~~

33 ~~Public and private utility services as a principal use and their appurtenant~~
34 ~~and accessory buildings and structures, including, but not limited to the~~
35 ~~following:~~

36 Electrical power facilities. (subject to Sec. 500.42).

37 Gas and water regulation station.

38 Incinerator. (subject to Sec. 500.5).

39 ~~Refuse and trash dumps.~~

40 Sanitary landfill. (subject to Sec. 500.5).

41 Water and wastewater treatment facility. (subject to Sec. 500.41).

42 Telephone exchange building and substation.

43 ~~Solid Waste Transfer and Recycling Station.~~ (subject to Sec.
44 500.42).

1 Part 43, Section 602.E., AP-Agricultural Production District, Property Development
2 Regulations, is amended as follows:

3 E. Property development regulations.

4
5 1. Minimum lot area and ~~dimensions~~ yard setback requirements.

6 Area: 10 acres
7 Front: 100 feet
8 Side (interior): 50 feet
9 Side (corner): 80 feet
10 Rear : 100 feet

11 2. Maximum building height, ~~and total floor area and lot coverage.~~

12 Maximum Building Height: 35 feet.
13 Maximum Total Floor Area: 10% of the total lot area.
14 ~~Maximum Lot Coverage: 10% of the total lot area~~

15 Exception: All ~~agricultural processing and research buildings and~~
16 ~~accessory uses~~ structures requiring a height greater than thirty five
17 (35) feet shall be permitted, provided the minimum yard setback;
18 of this section ~~Sec. 601.E.1.~~, are met in addition to a three foot (3)
19 setback for all yards for each ten feet (10) or fraction thereof
20 above thirty-five feet (35).

21 Part 44, Section 603.A., SA-Special Agricultural District, Purpose and Intent, is amended
22 to insert the following language.

23 A. Purpose and Intent. The purpose and intent of the SA District is to provide
24 a transitional district which allows for more intensive agricultural uses and
25 related services, and for limited commercial activities that provide a
26 convenience to the rural community. The SA District corresponds to the
27 Special Agriculture (SA), and Agricultural Production (AP) land use
28 designations, and in some cases the Rural Residential 10 (RR10), Rural
29 Residential 20 (RR20) designations, of the Land Use Element of the Palm
30 Beach County Comprehensive Plan, ~~except as otherwise noted below.~~

31 Part 45, Section 603.B., SA-Special Agricultural District, Permitted Uses, is amended as
32 shown below. The remainder of section 603.B remains unchanged.

33 B. Permitted uses. In the SA District, no building, structure or land and water
34 uses shall be permitted except for one (1) or more of the following uses:

35 Agricultural accessory uses that are customary and incidental to
36 principal agricultural uses, including, but not limited to the
37 following:

38 Packing and shipping.
39 Baling stations.
40 Caretaker's quarters. (subject to Sec. 500.40).
41 Citrus packing and grading plants¹.
42 Corrals.
43 Dipping vats.
44 Equipment storage sheds.

45 ¹ In the RR 10, these uses are permitted only for existing farm operations.

1 Forage drying facilities¹.
2 Pre-cooling and packing plant¹.
3 Pumping and drainage structures.
4 Railway tracks.

5 ~~Agricultural research and development facilities.~~

6 ~~Commercial stables.~~

7 ~~Home occupations (subject to section 500.2).~~

8 One stand for the sale of agricultural products, not necessarily
9 grown on site. (subject to Sec. 500.445).

10 ~~Veterinary Office, without outdoor facilities, on a minimum of ten~~
11 ~~(10) acres.~~

12 Part 46. Section 603.C., SA-Special Agricultural District, Uses Subject to Special Permit
13 Regulations, is amended to add the language shown below. The remainder of
14 section 602.C. remains unchanged.

15 C. Uses subject to special permit regulations. In the SA District, the following
16 buildings, structures, and uses shall be permitted after compliance with
17 the following special regulations:

18 ~~An accessory apartment for the elderly or handicapped accessory to a~~
19 ~~bona fide farm residence (subject to section 500.46).~~

20 Part 47. Section 603.D., SA-Special Agricultural District, Special Exception Subject to
21 Commission Approval, is amended to insert the following uses in the appropriate
22 alphabetical order as shown below. The remainder of section 603.D. remains
23 unchanged.

24 D. Special exceptions subject to Commission approval. When the Board of
25 County Commissioners determines as a fact, after the review of the
26 application and plans submitted therewith, that the conditions and
27 provisions of Chapter 1, Sec. 102, Chapter IV, Sections 400, 400.1, 401,
28 and other regulations as set forth and defined in this Zoning Code have
29 been met, and when the proposed use or uses are consistent with good
30 zoning practice and are not contrary to the policies of the Palm Beach
31 County Palm Beach County Comprehensive Plan, the following uses shall
32 be allowed as special exception uses:

33 ~~Agricultural research and development facilities.~~

34 ~~Commercial sales and service enterprises providing products and services~~
35 ~~of an agricultural nature customarily needed, utilized and consumed in~~
36 ~~rural areas devoted to agricultural land uses, such as feed and grain~~
37 ~~stores, farm implement sales and service, and the like. (not permitted on~~
38 ~~land within the RR 10 land use designation of the Comprehensive Plan).~~

39 ~~Commercial stables.~~

40 ~~Excavation, Type III (not permitted on land within the RR 10 land use~~
41 ~~designation of the Comprehensive Plan).~~

42 ¹ In the RR 10, these uses are permitted only for existing farm operations.

1 Medical centers, excluding clinics.

2
3 Migrant, farm labor quarters and camps and accessory buildings and
4 structures (not permitted on land within the RR 10 land use designation
5 of the Comprehensive Plan).

6 Public and private utility services and accessory buildings and structures,
7 including, but not limited to the following:

8 Electrical power facilities. (subject to Sec. 500.42).

9 Gas and water regulation station.

10 Incinerator. (subject to Sec. 500.5).

11 Sanitary landfill. (subject to Sec. 500.5).

12 Water and wastewater treatment facility. (subject to Sec. 500.41).

13 Telephone exchange building and substation.

14 Solid Waste Transfer and Recycling Station. (subject to Sec.
15 500.4).

16 Sugar mills (not permitted in the RR 10 land designation of the
17 Comprehensive Plan).

18 Veterinary Offices.

19 Part 48. Section 603.E.3., SA-Special Agricultural District, Property Development
20 Regulations, Maximum Building Height, Total Floor Area and Lot Coverage, is
21 amended as follows:

22 E. Property development regulations.

23 3. Maximum building height, total floor area and lot coverage.

24 Maximum Building Height 35 feet

25 Maximum Total Floor Area 15% of the total lot area

26 Maximum Lot Coverage 10% of the total lot area.

27 Exceptions:

28 ~~All agricultural processing and research buildings and accessory~~
29 ~~uses structures~~ requiring a height greater than thirty-five feet (35')
30 shall be permitted, provided the minimum yard setback
31 requirements of this section ~~Sec. 601 E.2.~~ are met in addition to
32 a three foot (3') setback for all yards for each story above
33 thirty-five feet (35').

34 For Medical Centers as described in Sec. 603.D., maximum total
35 floor area shall not exceed twenty five percent (25%) of the total
36 lot area, maximum lot coverage shall not exceed fifteen percent
37 (15%) of the total lot area and maximum building height shall be
38 fifty five feet (55'), provided however the minimum yard setbacks,
39 listed in this section ~~Sec. 602 E.2.~~ above are increased an
40 additional one foot (1), for each additional one foot (1') in height
41 above thirty five feet (35').

1 Part 49. Section 604.C., AR-Agricultural Residential District, Uses Subject to Special Permit
2 Regulations, is amended to insert and delete the language below. The remainder
3 of section 604.C. remains unchanged.

4 C. Uses subject to special permit regulations. In an AR District, the following
5 buildings, structures, and uses shall be permitted pursuant to Sec. 401.6,
6 after compliance with the following special regulations:

7 ~~An a~~Accessory apartments for elderly ~~and or~~ handicapped. (subject to
8 Sec. 500.46.).

9 Part 50. Section 604.D., AR-Agricultural Residential District, Special Exception Subject to
10 Commission Approval, is amended as follows:

11 D. Special exceptions subject to Commission approval.

12 ~~Veterinary office~~

13 Part 51. Section 605.B., CRS-Country Residential District, Permitted Uses, is amended to
14 change the subsection reference noted below. The remainder of section 605.B
15 remains unchanged.

16 B. Permitted uses. In the CRS District, no building, structure or land and
17 water use shall be permitted except for one or more of the following uses:

18 One stand for the sale of agricultural products. (subject to Sec.
19 500.445).

20 Part 52. Section 605.C., CRS-Country Residential District, Uses Subject to Special Permit
21 Regulations, is amended to insert and delete the language below. The remainder
22 of section 605.C. remains unchanged.

23 C. Uses subject to special permit regulations. In a CRS District, the following
24 buildings, structures, and uses shall be permitted pursuant to Sec. 401.6,
25 after compliance with the following special regulations:

26 ~~An a~~Accessory apartments for elderly ~~and or~~ handicapped. (subject to
27 Sec. 500.46.).

28 Part 53. Section 606.D., RSER-Rural Services District, Special Exceptions Subject to
29 Commission Approval, is amended as shown below. The remainder of section
30 606.D. remains unchanged.

31 D. Special exceptions subject to Commission approval. When the
32 Commission determines as a fact, after the review of the application and
33 plans submitted therewith, that the conditions and provisions of Chapter
34 1, Sec. 102, Chapter IV, Sections 400, 400.1, 401, and other regulations
35 as set forth and defined in this Zoning Code have been met, and when
36 the proposed use or uses are consistent with good zoning practice and
37 are not contrary to the policies of the Palm Beach County Comprehensive
38 Plan, the following uses shall be allowed as special exception uses:

39 Congregate living facilities, type II and III. (subject to Sec. 500.34). Type
40 III shall be subject to the density requirements of the Comprehensive
41 Plan.

42 Medical centers and hospitals.

1 Part 54. Section 606.E.2., RSER-Rural Services District, Property Development Regulations,
2 Minimum Yard Setback Requirements, is amended as follows:

3 E. Property development regulations.

4 2. Minimum yard setback requirements:

5 Front: 25 feet
6 Side (interior): ~~15 feet~~ 50 feet
7 Side (corner): ~~20 feet~~ 25 feet
8 Rear: ~~100 feet~~ 50 feet.

9 Part 55. Section 607.C., RE-Residential Estate District, Uses Subject to Special Permit
10 Regulations, is amended to insert and delete the language below. The remainder
11 of section 607.C. remains unchanged.

12 C. Uses subject to special permit regulations. In the RE District, the following
13 buildings, structures, and uses shall be permitted pursuant to Sec. 401.6,
14 after compliance with the following special regulations:

15 ~~An a~~ Accessory apartments for elderly and ~~or~~ handicapped. (subject to
16 Sec. 500.46.).

17 Part 56. Section 607.D., RE-Residential Estate District, Special Exceptions Subject to
18 Commission Approval, is amended to insert the language below. The remainder
19 of section 607.D. remains unchanged.

20 D. Special exceptions subject to commission approval. When the
21 Commission determines as a fact, after the review of the application and
22 plans submitted therewith, that the conditions and provisions of Chapter
23 I, Sec. 102, Chapter IV, Sec.s 400, 400.1, 401, and other regulations as
24 set forth and defined in the Zoning Code have been met, and when the
25 proposed use or uses are consistent with good zoning practice and are
26 not contrary to the policies of the Palm Beach County Comprehensive
27 Plan, the following uses shall be allowed:

28 Public and private utility services and accessory buildings and structures,
29 including, (excluding sanitary landfills, incinerator, refuse and trash dumps)
30 but not limited to the following:

31 Electrical power facilities. (subject to Sec. 500.42)

32 Gas and water regulation station.

33 Water and wastewater treatment facilities. (subject to Sec. 500.41)

34 Telephone exchange building and substation.

35 Solid Waste Transfer and Recycling Station. (subject to Sec. 500.4)

36 Part 57. Section 607.E.1., RE-Residential Estate District, Property Development
37 Regulations, Density Standards, section 607.E.2., RE-Residential Estate District,
38 Property Development Regulations, Minimum Lot Dimensions, and Section
39 607.E.3., RE-Residential Estate District, Property Development Regulations,
40 Minimum Yard Setback Requirements, are amended as follows:

E. Property development regulations.

1. Density standards.

Minimum density: Not applicable
Maximum density without PUD: 0.4 dwelling unit/acre
Maximum density with PUD*: 1.0 dwelling unit/acre

* For subdivisions and PUDs, density shall be measured and based upon gross acreage of the proposed development. The Palm Beach County Comprehensive Plan Land Use Element allows maximum PUD level densities, under specific circumstances, without a special exception for a PUD.

2. Minimum lot area and dimensions*.

Area: 2.5 acres
Width: 180 feet
Depth: 200 feet
Front: 180 feet

** These minimum lot size is-a dimensions are general guidelines for the development of single-lots-of-record residential property. For PUDs, subdivisions, or properties which qualify for maximum PUD level density in a zoning district without a PUD special exception, an average lot size shall be calculated and based upon permitted density and the gross acreage of the proposed development. Valid, nonconforming lots of record are not subject to minimum lot area and dimension requirements, but shall be subject to minimum yard setbacks and section 404.4 (Nonconforming Lots).

3. Minimum yard setback requirements.

Front: 50 feet
Side (interior): 40 feet
Side (corner): 60 feet 50 feet
Rear: 50 feet

Part 58. Section 608.C., RT-Residential Transitional District, Uses Subject to Special Permit Regulations, is amended to insert and delete the language below. The remainder of section 608.C. remains unchanged.

C. Uses subject to special permit regulations. In an RT District, the following buildings, structures, and uses shall be permitted pursuant to Sec. 401.6, after compliance with the following special regulations:

~~An a~~Accessory apartments for elderly and ~~or~~ handicapped. (subject to Sec. 500.46.).

Part 59. Section 608.D., RT-Residential Transitional District, Special Exceptions Subject to Commission Approval, is amended to insert the language below. The remainder of section 608.D. remains unchanged.

D. Special exceptions subject to commission approval. When the Commission determines as a fact, after the review of the application and plans submitted therewith, that the conditions and provisions of Chapter I, Sec. 102, Chapter IV, Sec.s 400, 400.1, 401, and other regulations as set forth and defined in the Zoning Code have been met, and when the proposed use or uses are consistent with good zoning practice and are not contrary to the policies of the Palm Beach County Comprehensive Plan, the following uses shall be allowed:

Public and private utility services and accessory buildings and structures, including, but not limited to the following:

Electrical power facilities. (subject to Sec. 500.42)
Gas and water regulation station.
Water and wastewater treatment facilities. (subject to Sec. 500.41)
Telephone exchange building and substation.
Solid Waste Transfer and Recycling Station. (subject to Sec. 500.42)

Part 60. Section 608.E., RT-Residential Transitional District, Property Development Regulations, is amended as follows:

E. Property development regulations.

1. Density standards.

Minimum density: 1.0 dwelling unit/acre (in areas designated LR2)

Maximum density without PUD: 1.5 dwelling unit/acre (in areas designated LR2)
1.0 dwelling unit/acre (in areas designated LR1)

Maximum density with PUD*: 2.0 dwelling unit/acre (in areas designated LR2)
1.0 dwelling unit/acre (in areas designated LR1)

*For Subdivisions and PUDs, density shall be measured and based upon gross acreage of the proposed development. The Palm Beach County Comprehensive Plan Land Use Element allows maximum PUD level densities, under specific circumstances, without a special exception for a PUD.

2. Minimum lot and area dimensions*.

Area: ~~30,000 square feet*~~
Minimum Lot Area: 29,000 square feet

Width: 100 feet
Depth: 125 feet
Frontage: 100 feet

* ~~This~~ These minimum lot size ~~is a~~ dimensions are general guidelines for the development of single lots of record residential property. For PUDs, subdivisions, or properties which qualify for maximum PUD level density in a zoning district without a PUD special exception, an average lot size shall be calculated and based upon permitted density and the gross acreage of the proposed development. Valid, nonconforming lots of record are not subject to minimum lot area and dimension requirements, but shall be subject to minimum yard setbacks and section 404.4 (Nonconforming Lots).

3. Minimum yard setback requirements.

Front: 25 feet
Side (interior): 15 feet
Side (corner): 25 feet
Rear: 25 feet

4. Maximum building height, ~~total floor area~~ and lot coverage.

Maximum Building Height: 35 feet
~~Maximum Total Floor Area: Not applicable~~
Maximum Lot Coverage: 25% of the total Lot Area

Part 61. Section 609.C., RTS-Residential Transitional Suburban District, Uses Subject to Special Permit Regulations, is amended to insert and delete the language below. The remainder of section 609.C. remains unchanged.

C. Uses subject to special permit regulations. In an RTS District, the following buildings, structures, and uses shall be permitted pursuant to Sec. 401.6, after compliance with the following special regulations:

~~An a~~ Accessory apartments for elderly and or handicapped. (subject to Sec. 500.46.).

Part 62. Section 609.D., RTS-Residential Transitional Suburban District, Special Exceptions Subject to Commission Approval, is amended to insert the language below. The remainder of section 609.D. remains unchanged.

D. Special exceptions subject to commission approval. When the Commission determines as a fact, after the review of the application and plans submitted therewith, that the conditions and provisions of Chapter I, Sec. 102, Chapter IV, Sec.s 400, 400.1, 401, and other regulations as set forth and defined in the Zoning Code have been met, and when the proposed use or uses are consistent with good zoning practice and are not contrary to the policies of the Palm Beach County Comprehensive Plan, the following uses shall be allowed:

Public and private utility services and accessory buildings and structures, including, but not limited to the following:

Electrical power facilities. (subject to Sec. 500.42)
Gas and water regulation station.
Water and wastewater treatment facilities. (subject to Sec. 500.41)
Telephone exchange building and substation.
~~Solid Waste Transfer and Recycling Station.~~(subject to Sec. 500.42)

Part 63. Section 609.E.1., RTS-Residential Transitional Suburban District, Property Development Regulations, Density Standards, and section 609.E.2., RTS-Residential Transitional Suburban District, Property Development Regulations, Minimum Lot Area and Dimensions, are amended as follows:

E. Property development regulations.

1. Density standards.

Minimum density: 1.0 dwelling unit/acre

Maximum density without PUD: 2.0 dwelling unit/acre

Maximum density with PUD* 3.0 dwelling unit/acre

* For subdivisions and PUDs, density shall be measured and based upon gross acreage of the proposed development. The Palm Beach County Comprehensive Plan Land Use Element allows maximum PUD level densities, under specific circumstances, without a special exception for a PUD.

2. Minimum lot area and dimensions*.

Minimum lot area: ~~25,000~~ 21,800 square feet

Width 100 feet

Depth 125 feet

Front 100 feet

** ~~This~~ These minimum lot size ~~is~~ a dimensions are general guidelines for the development of ~~single lots of record~~ residential property. For PUDs, subdivisions or properties which qualify for maximum PUD level density in a zoning district without a PUD special exception, an average lot size shall be calculated and based upon permitted density and the gross acreage of the proposed development. Valid, nonconforming lots of record are not subject to minimum lot area and dimension requirements, but shall be subject to minimum yard setbacks and section 404.4 (Nonconforming Lots).

Part 64. Section 610.C., RTU-Residential Transitional Urban District, Uses Subject to Special Permit Regulations, is amended to insert and delete the language below. The remainder of section 610.C. remains unchanged.

C. Uses subject to special permit regulations. In an RTU District, the following buildings, structures, and uses shall be permitted pursuant to Sec. 401.6, after compliance with the following special regulations:

~~An a~~Accessory apartments for elderly and or handicapped. (subject to Sec. 500.46.).

Part 65. Section 610.D., RTU-Residential Transitional Urban District, Special Exceptions Subject to Commission Approval, is amended to insert the language below. The remainder of section 610.D. remains unchanged.

D. Special exceptions subject to commission approval. When the Commission determines as a fact, after the review of the application and

plans submitted therewith, that the conditions and provisions of Chapter I, Sec. 102, Chapter IV, Sec.s 400, 400.1, 401, and other regulations as set forth and defined in the Zoning Code have been met, and when the proposed use or uses are consistent with good zoning practice and are not contrary to the policies of the Palm Beach County Comprehensive Plan, the following uses shall be allowed:

Public and private utility services and accessory buildings and structures, including, but not limited to the following:

- Electrical power facilities. (subject to Sec. 500.42)
- Gas and water regulation station.
- Water and wastewater treatment facilities. (subject to Sec. 500.41)
- Telephone exchange building and substation.
- Solid Waste Transfer and Recycling Station. (subject to Sec. 500.4)

Part 66. Section 610.E., RTU-Residential Transitional Urban District, Property Development Regulations, is amended as follows:

E. Property development regulations.

1. Density standards:

Minimum density:	3.0 dwelling unit/acre
Maximum density without PUD:	4.0 dwelling unit/acre
Maximum density with PUD*:	5.0 dwelling unit/acre

* For subdivisions and PUDs, density shall be measured and based upon gross acreage of the proposed development. The Palm Beach County Comprehensive Plan Land Use Element allows maximum PUD level densities, under specific circumstances, without a special exception for a PUD.

2. Minimum lot area and dimensions*.

Minimum lot area:	12,000 10,900 square feet**
Width:	85 feet
Depth:	90 feet
Front:	115 feet 85 feet

~~** This~~ These minimum lot size is a dimensions are general guidelines for the development of single lots of record residential property. For PUDs, subdivisions or properties which qualify for maximum PUD level density in a zoning district without a PUD special exception, an average lot size shall be calculated and based upon permitted density and the gross acreage of the proposed development. Valid, nonconforming lots of record are not subject to minimum lot area and dimension requirements, but shall be subject to minimum yard setbacks and section 404.4 (Nonconforming Lots).

3. Minimum Yard Setback Requirements.

a. For Principal Structures:

Front:	25 feet
Side (interior):	10.5 feet
Side (corner):	10.5 feet
Rear	20 feet

b. For Accessory Structures: No accessory structures shall be located within front or side (corner) setback, nor closer than ten feet (10') from any interior side or rear property line, nor closer to any property line than may be specified for a particular structure by some other provision of this Code.

4. Maximum building height, ~~total floor area~~ and lot coverage.

Maximum Building Height	35 feet
Maximum Total Floor Area	Not applicable
Maximum Lot Coverage	35% of the total lot area

Part 67. Section 611.C., RS-Single Family Residential District, Uses Subject to Special Permit Regulations, is amended to insert and delete the language below. The remainder of section 611.C. remains unchanged.

C. Uses subject to special permit regulations. In an RS District, the following buildings, structures, and uses shall be permitted pursuant to Sec. 401.6, after compliance with the following special regulations:

~~An a~~Accessory apartments for elderly ~~and or~~ handicapped. (subject to Sec. 500.46.).

Part 68. Section 611.D., RS-Single Family Residential District, Special Exceptions Subject to Commission Approval, is amended to insert the language below. The remainder of section 611.D. remains unchanged.

D. Special exceptions subject to commission approval. When the Commission determines as a fact, after the review of the application and plans submitted therewith, that the conditions and provisions of Chapter I, Sec. 102, Chapter IV, Sec.s 400, 400.1, 401, and other regulations as set forth and defined in the Zoning Code have been met, and when the proposed use or uses are consistent with good zoning practice and are not contrary to the policies of the Palm Beach County Comprehensive Plan, the following uses shall be allowed:

Public and private utility services and accessory buildings (excluding sanitary landfill, incinerator, refuse and trash dumps) and structures, including, but not limited to the following:

Electrical power facilities. (subject to Sec. 500.42)
Gas and water regulation station.
Water and wastewater treatment facilities. (subject to Sec. 500.41)
Telephone exchange building and substation.
~~Solid Waste Transfer and Recycling Station.~~ (subject to Sec. 500.47)

1 Part 69. Section 611.E.1., RS-Single Family Residential District, Property Development
2 Regulations, Density Standards, and section 611.E.2., RS-Single Family Residential
3 District, Property Development Regulations, Minimum Lot Dimensions, are
4 amended as follows:

5 E. Property development regulations.

6 1. Density standards.

7 Minimum density 5.0 dwelling unit/acre

8 Maximum density without PUD 6.0 dwelling unit/acre

9 Maximum density with PUD* 8.0 dwelling unit/acre

10 * For subdivisions and PUDs, density shall be measured and
11 based upon gross acreage of the proposed development. The
12 Palm Beach County Comprehensive Plan Land Use Element
13 allows maximum PUD level densities, under specific circumstances,
14 without a special exception for a PUD.

15 2. Minimum area and lot dimensions*.

16 Minimum lot area ~~8500~~ 7,300 square feet**

17 Width 65 feet

18 Depth 75 feet

19 Front 65 feet

20 ** ~~This~~ These minimum lot size is a dimensions are general
21 guidelines for the development of ~~single lots of record~~ residential
22 property. For PUDs, subdivisions or properties which qualify for
23 maximum PUD level density in a zoning district without a PUD
24 special exception, an average lot size shall be calculated and
25 based upon permitted density and the gross acreage of the
26 proposed development. Valid, nonconforming lots of record are
27 not subject to minimum lot area and dimension requirements, but
28 shall be subject to minimum yard setbacks and section 404.4
29 (Nonconforming Lots).

30 Part 70. Section 612.C., RM-Multiple Family Residential (Medium Density) District, Uses
31 Subject to Special Permit Regulations, is amended to insert and delete the
32 language below. The remainder of section 612.C. remains unchanged.

33 C. Uses subject to special permit regulations. In an RM District, the following
34 buildings, structures, and uses shall be permitted pursuant to Sec. 401.6,
35 after compliance with the following special regulations:

36 ~~An a~~ Accessory apartments for elderly and or handicapped. (subject to
37 Sec. 500.46.).

38 Part 71. Section 612.D., RM-Multiple Family Residential (Medium Density) District, D. Special
39 exceptions subject to commission approval. When the Commission determines
40 as a fact, after the review of the application and plans submitted therewith, that
41 the conditions and provisions of Chapter I, Sec. 102, Chapter IV, Sec.s 400,
42 400.1, 401, and other regulations as set forth and defined in the Zoning Code
43 have been met, and when the proposed use or uses are consistent with good

zoning practice and are not contrary to the policies of the Palm Beach County Comprehensive Plan, the following uses shall be allowed:

Public and private utility services and accessory buildings and structures, including, but not limited to the following:

- Electric power facilities. (subject to Sec. 500.42)
- Gas and water regulation station.
- Water and wastewater treatment facilities. (subject to Sec. 500.41)
- Telephone exchange building and substation.
- Storage tank, reservoir, treatment plant.
- Solid Waste Transfer and Recycling Station. (subject to Sec. 500.42)

Part 72. Section 612.E.1., RM-Multiple Family Residential (Medium Density) District, Property Development Regulations, Density Standards, section 612.E.2., RM-Multiple Family Residential (Medium Density) District, Property Development Regulations, Minimum Lot Dimensions, and section 612.E.3., RM-Multiple Family Residential (Medium Density) District, Property Development Regulations, Minimum Building Setbacks by Height, are amended as follows:

E. Property development regulations.

1. Density standards.

Minimum density	5.0 dwelling unit/acre
Maximum density without PUD	6.0 dwelling unit/acre
Maximum density with PUD*	12.0 dwelling unit/acre

* For subdivisions and PUDs, density shall be measured and based upon gross acreage of the proposed development. The Palm Beach County Comprehensive Plan Land Use Element allows maximum PUD level densities, under specific circumstances, without a special exception for a PUD.

2. Minimum lot area and dimensions*.

	Single Family Dwelling	Multif Family Dwelling
Frontage	60 feet	75 feet
Depth	100 feet	100 feet
Width (interior)	60 feet	75 feet
Width (corner)	70 feet	85 feet

Exception: The yard setbacks for a single family dwelling shall comply with the "Property Development Regulations" established for the RS District.

Minimum lot area* for:

Single family residence	6,000 7,300 square feet
Duplex	16,000 14,500 square feet
Three units	24,000 21,800 square feet
Each additional unit over three units	8,000 7,300 square feet

* These minimum lot dimensions are general guidelines for the development of residential properties. For PUDs, subdivisions or properties which qualify for maximum PUD level density in a zoning district without a PUD special exception, an average lot size shall be calculated and based upon permitted density and the gross acreage of the proposed development. Valid, nonconforming lots of record are not subject to minimum lot area and dimension requirements, but shall be subject to minimum yard setbacks and section 404.4 (Nonconforming Lots).

3. Minimum building setbacks by height. The following shall be the minimum building setbacks for all structures permitted and described in this District. These setbacks shall not be interpreted as stepped setbacks for a building more than thirty-five feet (35'). The minimum setback for the highest story shall apply to the entire building. The distances stated below apply both to the proximity of one building to another as well as to the property line:

Setbacks/yards by building height

	Building Height (feet)			
	35	60	85	100
Front	25	30	40	60
Side (interior)	15	25	35	40
Side (corner)	25	25	35	40
Rear	12	25	35	40

In addition to the setbacks above, three (3) additional feet of setback shall be required for each twelve feet (12') above one hundred feet (100').

The maximum building height of all multiple family structures permitted and described in this District shall be one hundred feet (100'). Any proposed structure having a height above one hundred feet (100') shall be a Special Exception under the Zoning Code and, therefore, shall comply with Sec. 401.2.

Part 73. Section 613.C., RH-Multiple Family Residential (High Density) District, Uses Subject to Special Permit Regulations, is amended to insert and delete the language below. The remainder of section 613.C. remains unchanged.

- C. Uses subject to special permit regulations. In an RH District, the following buildings, structures, and uses shall be permitted pursuant to Sec. 401.6, after compliance with the following special regulations:

~~An a~~Accessory apartments for elderly and or handicapped. (subject to Sec. 500.46.).

Part 74. Section 613.D., RH-Multiple Family Residential (High Density) District, Special Exceptions Subject to Commission Approval, is amended to insert the language below. The remainder of section 607.D. remains unchanged.

- D. Special exceptions subject to commission approval. When the Commission determines as a fact, after the review of the application and plans submitted therewith, that the conditions and provisions of Chapter I, Sec. 102, Chapter IV, Sec.s 400, 400.1, 401, and other regulations as

1 set forth and defined in the Zoning Code have been met, and when the
2 proposed use or uses are consistent with good zoning practice and are
3 not contrary to the policies of the Palm Beach County Comprehensive
4 Plan, the following uses shall be allowed:

5 Public and private utility services and accessory buildings and structures,
6 including, but not limited to the following:

7 Electrical power facilities. (subject to Sec. 500.42)
8 Gas and water regulation station.
9 Water and wastewater treatment facilities. (subject to Sec. 500.41)
10 Telephone exchange building and substation.
11 Solid Waste Transfer and Recycling Station. (subject to Sec.
12 500.42)

13 Part 75. Section 613.E.1., RH-Multiple Family Residential (High Density) District, Property
14 Development Regulations, Density Standards and section 613.E.2., RH-Multiple
15 Family Residential (High Density) District, Property Development Regulations,
16 Minimum Lot Dimensions, are amended as follows:

17 E. Property development regulations.

18 1. Density standards.

19	Minimum density	5.0 dwelling unit/acre
20	Maximum density without PUD	6.0 dwelling unit/acre
21	Maximum density with PUD*	18.0 dwelling unit/acre

22 * For subdivisions and PUDs, density shall be measured and based
23 upon gross acreage of the proposed development. The Palm Beach
24 County Comprehensive Plan Land Use Element allows maximum
25 PUD level densities, under specific circumstances, without a special
26 exception for a PUD.

27 2. Minimum lot area for:**

28	Single Family	6,000 7,300 square feet
29	Duplex	16,000 14,500 square feet
30	Three units	24,000 21,800 square feet
31	Each additional unit	
32	over three units	8,000 7,300 square feet

33 * These minimum lot ~~sizes~~ dimensions are general guidelines for
34 the development of ~~single lots of record~~ residential properties. For
35 PUDs, subdivisions or properties which qualify for maximum PUD
36 level density in a zoning district without a PUD special exception,
37 an average lot size shall be calculated and based upon permitted
38 density and the gross acreage of the proposed development. Valid,
39 nonconforming lots of record are not subject to minimum lot area
40 and dimension requirements, but shall be subject to minimum yard
41 setbacks and section 404.4 (Nonconforming Lots).

42 Part 76. Section 614.C., CN-Neighborhood Commercial District, Special Exceptions Subject
43 to Commission Approval, is amended to insert and delete the language shown
44 below. The remainder of section 614.C. remains the same.

C. Special exceptions subject to Commission approval. When the Commission determines as a fact, after the review of the application and plans submitted therewith, that the conditions and provisions of Chapter I, Sec. 102, Chapter IV, Sections 400, 400.1, 401, and other regulations as set forth and defined in the Zoning Code have been met, and when the proposed use or uses are consistent with good zoning practice and are not contrary to the policies of the Palm Beach County Comprehensive Plan, the following uses may be allowed as special exceptions:

Congregate living facilities, type III (subject to the provisions of sec. 500.37) (not subject to sec. 614.D.4, Maximum Floor Area for Permitted and Special Exception Uses).

Day care centers pre-school facilities and child care facilities (subject to sec. 500.12) (not subject to sec. 614.D.4, Maximum Floor Area for Permitted and Special Exception Uses).

Public and private utility services and accessory buildings and structures, including, but not limited to the following:

Electrical power facilities. (subject to Sec. 500.42)

Gas and water regulation station.

Water and wastewater treatment facilities. (subject to Sec. 500.41)

Telephone exchange building and substation.

~~Transfer station. (subject to Sec. 500.42)~~

Part 77. Section 614.D., Neighborhood Commercial District, Property Development Regulations, is amended as follows:

D. Property development regulations.

1. Lot area and dimensions.

Minimum area	one (1) acre*
Maximum area	three (3) acres
Minimum width	100 feet
Minimum depth	100 feet
Minimum frontage	100 feet
Maximum frontage	130 feet

* Under an executed Unity of Control agreement, a Planned Neighborhood Commercial Development (PNCD) may meet minimum lot area and dimension requirements based upon the gross area of the development. Provided the Unity of Control remains effective, the individual lots within this type of PNCD are exempt from minimum lot area and dimension requirements. Valid nonconforming lots are also exempt from these requirements and are subject to section 404.4 (Nonconforming Lots).

2. Minimum yard setback requirements.

Front	30 feet
Side (interior)	30 feet
Side (corner)	30 feet
Rear	30 feet

3. Maximum building height, ~~total floor area.~~

Maximum building height 35 feet

~~Maximum Total Floor Area 35% of the total lot area~~

4. Maximum floor area for each permitted and special exception uses: is 1500 square feet, except where otherwise provided. Maximum total floor area for the entire lot is thirty-five percent (35%).

Part 78. Section 614.E., CN-Neighborhood Commercial District, Special Regulations, is amended insert and delete the following language in subsection 13. The remainder of section 614.E. remains unchanged.

E. Special regulations.

13. Signs, subject to Sec. 24-1 through 24-123, except that no sign other than one on-site ground sign shall be allowed for each ~~use~~ lot if a permitted use, or one on-site ground sign per unified development if a special exception use, ~~and such~~ The sign face shall not exceed one-half (1/2) square foot in area for every one (1) linear foot of lot frontage.

Part 79. Section 615.B., CC-Community Commercial District, Permitted Uses, is amended to add and delete the following permitted uses:

B. Permitted uses. In a CC-Community Commercial District, no building, structure, or land and water use shall be permitted except for one or more of the following uses, for which the total combined floor area shall not be greater than 30,000 square feet:

~~Financial institutions occupying less than 10,000 square feet of total floor area, with no more than two (2) drive up teller units,~~

~~One stand for the sale of agricultural products, not necessarily grown on site, or one stand for mobile sales (subject to section 500.45)~~

~~Restaurants and lounges.~~

Part 80. Section 615.D., CC-Community Commercial District, Special Exceptions Subject to Commission Approval, is amended to insert the language and uses shown below in the appropriate alphabetical order. The remainder of section 615.D. remains unchanged.

D. Special exceptions subject to Commission approval. When the Commission determines as a fact, after the review of the application and plans submitted therewith, that the conditions and provisions of Chapter I, Sec. 102, Chapter IV, Sections 400, 400.1, 401, and other regulations as set forth and defined in the Zoning Code have been met, and when the proposed use or uses are consistent with good zoning practice and are not contrary to the policies of the Palm Beach County Comprehensive Plan, the following uses may be allowed as special exceptions:

Lounges:

~~Financial institution occupying 10,000 square feet or less or more of total floor area, with no more than four (4) more than two (2) drive-up teller units.~~

1 Planned ~~general~~ commercial development.

2 Public and private utility services and accessory buildings and structures,
3 including, but not limited to the following:

4 Electrical power facilities. (subject to Sec. 500.42)

5 Gas and water regulation station.

6 Water and wastewater treatment facilities. (subject to Sec. 500.41)

7 Telephone exchange building and substation.

8 Solid Waste Transfer and Recycling Station. (subject to Sec. 500.42)

9 Part 81. Section 615.E.1., CC-Community Commercial District, Property Development
10 Regulations, Lot Area Dimensions, and section 615.E.2., CC-Community
11 Commercial District, Property Development Regulations, Minimum Yard Setback
12 Requirements, are amended as follows:

13 E. Property development regulations.

14 1. Lot area and dimensions.

15 Minimum area one (1) acre *

16 Maximum area 20 acres

17 Width 100 feet

18 Depth ~~150 feet~~ 200 feet

19 Frontage 100 feet

20 ~~Maximum Frontage 2000 feet~~

21 * Under an executed Unity of Control agreement, a Planned General
22 Commercial Development (PGCD) may meet minimum lot area and
23 dimension requirements based upon the gross area of the
24 development. Provided the Unity of Control remains effective, the
25 individual lots within this type of PGCD are exempt from minimum
26 lot area and dimension requirements. Valid nonconforming lots are
27 also exempt from these requirements and are subject to section
28 404.4 (Nonconforming Lots).

29 2. Minimum yard setback requirements.

30 Front 30 feet

31 Side (interior) 30 feet

32 Side (corner) 30 feet

33 Rear 30 feet

34 Part 82. Section 615.F., CC-Community Commercial District, Special Regulations, is
35 amended to amend subsection 2 as shown below. The remainder of section 615.F.
36 remains unchanged.

37 F. Special regulations.

38 2. Operating Hours. No commercial use shall commence business
39 activities outdoors (including delivery and stocking operations) prior
40 to 6:00 A.M. nor continue outdoor activities later than 11:00 P.M.
41 except as otherwise provided in this Code. The Board of County
42 Commissioners may set hours of operation based on compatibility
43 of the proposed use and adjacent uses.

1 Part 83. Section 616.B., CG-General Commercial District, Permitted Uses, is amended to
2 delete and insert the following permitted uses. The remainder of section 616.B.
3 remains unchanged.

4 B. Permitted uses. In a CG-General Commercial District, no building, structure,
5 or land and water use shall be permitted except for one (1) or more of the
6 following uses:

7 ~~Nurseries and greenhouses, wholesale.~~

8 ~~One stand for the sale of agricultural products, not necessarily grown on~~
9 ~~site, one stand for mobile sales, or one structure for temporary sales~~
10 ~~(subject to section 500.45).~~

11 ~~Restaurant and lounge.~~

12 Part 84. Section 616.C., CG-General Commercial District, Uses Subject to Special Permit
13 Regulations, is amended to insert the following use in the appropriate alphabetical
14 order:

15 C. Uses subject to special permit regulations. In an CG District, the following
16 buildings, structures, and uses shall be permitted pursuant to Sec. 401.6,
17 after compliance with the following special regulations:

18 ~~Lounges, which are located more than two hundred fifty (250) feet from a~~
19 ~~residentially designated property line.~~

20 Part 85. Section 616.D., CG-General Commercial District, Special Exception Subject to
21 Commission Approval, is amended to insert and delete the language below. The
22 remainder of section 616.D. remains unchanged.

23 D. Special Exception subject to commission approval. When the Commission
24 determines as a fact, after the review of the application and plans submitted
25 therewith that the conditions and provisions of Chapter I, Sec. 102, Chapter
26 IV, Sections 400, 400.1, 401 and other regulations as set forth and defined
27 in this Code have been met, and when the proposed use or uses are
28 consistent with good zoning practice and are not contrary to the policies
29 of the Comprehensive Land Use Plan of Palm Beach County, the following
30 uses shall be permitted within a planned general commercial development:

31 ~~Lounges which are less than two hundred fifty (250) feet from a residentially~~
32 ~~designated property line.~~

33 Public and private utility services and accessory buildings and structures,
34 including, but not limited to the following:

35 Electrical power facilities. (subject to Sec. 500.42)

36 Gas and water regulation station.

37 Water and wastewater treatment facilities. (subject to Sec. 500.41)

38 Telephone exchange building and substation.

39 Solid Waste Transfer and Recycling Station. (subject to Sec. 500.47)

40 ~~Theaters, movies, or playhouses.~~

41 Part 86. Section 616.E.1., CG-General Commercial District, Property Development
42 Regulations, Lot Area and Dimensions, and section 616.E.2., CG-General
43 Commercial District, Property Development Regulations, Minimum Yard Setback
44 Requirements, are amended as follows:

E. Property development regulations.

1. Lot area and dimensions.

Minimum Area	one (1) acre *
Maximum Area	Unlimited
Width	100 feet
Depth	200 feet
Frontage	100 feet

* Under an executed Unity of Control agreement, a Planned General Commercial Development (PGCD) may meet minimum lot area and dimension requirements based upon the gross area of the development. Provided the Unity of Control remains effective, the individual lots within this type of PGCD are exempt from minimum lot area and dimension requirements. Valid nonconforming lots are also exempt from these requirements and are subject to section 404.4 (Nonconforming Lots).

2. Minimum yard setback requirements.

Front	50 feet
Side (interior)	15 feet
Side (corner)	25 feet
Rear	20 feet

Part 87. Section 616.F., CG-General Commercial District, Special Regulations, is amended to amend the section title as shown below. The remainder of subsection 616.F. remains unchanged.

F. Special regulations. ~~If the commercial use abuts any residential district, the special regulations enumerated in Sec. 614 E.2 through 614 E.4 for CN-Neighborhood Commercial District shall apply.~~ In addition to the above requirements, the following special regulations shall apply:

Part 88. Section 617.B., CSH-Specialized Commercial High District, Permitted Uses, is amended to insert and delete the following language. The remainder of section 617.B. remains unchanged.

B. Permitted uses. In a CSH-Specialized Commercial High District, no building, structure or land and water use shall be permitted except for one or more of the following uses:

Financial institution occupying less than 10,000 square feet or less of total floor area with no more than ~~four~~ two (2) drive-up teller units. (subject to Sec. 500.17-L.)

Part 89. Section 617.C., CSH-Specialized Commercial High District, Special Exceptions Subject to Commission Approval, is amended to insert and delete the following language. The remainder of section 617.C. remains unchanged.

C. Special exceptions subject to commission approval. When the Commission determines as a fact after the review of the application and plans submitted therewith, that the conditions and provisions of Chapter I, Sec. 102, Chapter IV, Sections 400, 400.1, 401, and other regulations as set forth and defined in this Code have been met, and when the proposed use or uses are consistent with good zoning practice and are not contrary to the

1 policies of the Palm Beach County Comprehensive Plan of Palm Beach
2 County, the following uses shall be permitted as special exceptions:

3 Day care centers, pre-school facilities and child care facilities (subject to
4 section 500.12).

5 Financial institution occupying 10,000 square feet or more of total floor area
6 with more than four two (2) drive-up teller units. (subject to Sec. 500.17)

7 Public and private utility services and accessory buildings and structures,
8 including, but not limited to the following:

9 Electrical power facilities, (subject to Sec. 500.42).

10 Gas and water regulation station.

11 Water and wastewater treatment facility. (subject to Sec. 500.41)

12 Telephone exchange building and substation.

13 Solid Waste Transfer and Recycling Station. (subject to Sec. 500.42)

14 Part 90. Section 617.D., CSH-Specialized Commercial High District, Property Development
15 Regulations, is amended as follows:

16 D. Property development regulations.

17 1. Lot area and dimensions.

18	Minimum Area	One (1) acre *
19	Width	100 feet
20	Depth	200 feet
21	Frontage	100 feet

22 * Under an executed Unity of Control agreement, a Planned Office
23 Business Park (POBP) may meet minimum lot area and dimension
24 requirements based upon the gross area of the development.
25 Provided the Unity of Control remains effective, the individual lots
26 within this type of POBP are exempt from minimum lot area and
27 dimension requirements. Valid nonconforming lots are also exempt
28 from these requirements and are subject to section 404.4
29 (Nonconforming Lots).

30 2. Minimum yard setback requirements for buildings 35 feet in height
31 or less.

32	Front	40 feet
33	Side (interior)	15 feet
34	Side (corner)	25 feet
35	Rear	20 feet

36 3. Maximum total floor area and building height.

37 Maximum Total Floor Area: 35% of the total lot area

38 Building height: 35 feet

39 Exception: ~~All Commercial developments requiring a height greater~~
40 ~~than thirty-five feet (35') in height but less than sixty 60 feet (60')~~
41 ~~in height shall be permitted provided meet the minimum setbacks~~
42 ~~of Sec. 617.D.2. are met in this section and an additional to a three~~

foot (3') setback for all yards for each ten feet (10') above thirty-five feet (35').

Part 91. Section 618.C., LO-Limited Office District, Special Exceptions Subject to Commission Approval, is amended to insert the language below. The remainder of section 618.D. remains unchanged.

D. Special exceptions subject to commission approval. When the Commission determines as a fact, after the review of the application and plans submitted therewith, that the conditions and provisions of Chapter I, Sec. 102, Chapter IV, Sec.s 400, 400.1, 401, and other regulations as set forth and defined in the Zoning Code have been met, and when the proposed use or uses are consistent with good zoning practice and are not contrary to the policies of the Palm Beach County Comprehensive Plan, the following uses shall be allowed:

Public and private utility services and accessory buildings and structures, including, but not limited to the following:

Electrical power facilities. (subject to Sec. 500.42)
Gas and water regulation station
Water and wastewater treatment facility. (subject to Sec. 500.41)
Telephone exchange building and substation
Solid Waste Transfer and Recycling Station. (subject to Sec. 500.42)

Part 92. Section 618.D.1., LO-Limited Office District, Property Development Regulations, Lot Area and Dimensions, and section 618.D.2., LO-Limited Office District, Property Development Regulations, Minimum Yard Setback Requirements, are amended as follows:

D. Property development regulations.

1. Lot area and dimensions.

Minimum Area	One (1) acre *
Maximum Area	5 acres 10 acres
Width	100 feet
Depth	200 feet
Frontage	100 feet

* Under an executed Unity of Control agreement, a Planned Office Business Park (POBP) may meet minimum lot area and dimension requirements based upon the gross area of the development. Provided the Unity of Control remains effective, the individual lots within this type of POBP are exempt from minimum lot area and dimension requirements. Valid nonconforming lots are also exempt from these requirements and are subject to section 404.4 (Nonconforming Lots).

2. Minimum yard setback requirements.

Front	40 feet
Side (interior)	15 feet
Side (corner)	25 feet
Rear	20 feet

Part 93. Section 619.D., CRE-Commercial Recreation District, Special Exceptions Subject to Board of County Commission Approval, is amended to insert the following uses

in appropriate alphabetical order and delete the following language. The remainder of section 619.D. remains unchanged.

D. Special exceptions subject to ~~Board of County~~ Commission approval. When the Commission determines as a fact, after the review of the application and plans submitted therewith, that the conditions and provisions of Chapter 1, Sec. 102, Chapter IV, Sections 400, 400.1, 401, and other regulations as set forth and defined in this Code have been met, and when the proposed use or uses are consistent with good zoning practice and are not contrary to the policies of the Palm Beach County Comprehensive Plan, the following uses shall be allowed as special exception uses:

~~Hunting and gun clubs (may be allowed in RR 10).~~

Public and private utility services and accessory buildings and structures, including, but not limited to the following:

Electrical power facilities. (subject to Sec. 500.42).

Gas and water regulation station

Incinerator (subject to Sec. 500.5)

~~Refuse and trash dumps~~

Sanitary landfill (subject to Sec. 500.5)

Water and wastewater treatment facility (subject to Sec. 500.41)

Telephone exchange building and substation

~~Solid Waste Transfer and Recycling Station. (subject to Sec. 500.42)~~

Recreational facilities and clubs, amusements and attractions, public and private, ~~hunting and gun clubs (may be allowed in RR10).~~

Part 94. Section 619.E., CRE-Commercial Recreation District, Property Development Regulations, is amended as follows:

E. Property development regulations.

1. Minimum lot area and dimensions.

Area 3 acres

Width ~~300 feet~~ 200 feet

Depth 300 feet

Frontage ~~300 feet~~ 200 feet

2. Minimum yard setback requirements.

Front ~~100 feet~~ 80 feet

Side (interior) 50 feet

Side (corner) 80 feet

Rear ~~100 feet~~ 50 feet

3. Maximum building height, total floor area and lot coverage.

Maximum Building Height, not including towers, antennae, or other structures: 35 feet

Maximum Total Floor Area: ~~25%~~ 50% of lot area

Maximum Lot Coverage: ~~50%~~ 25% of the total lot area

1 Part 95. Section 620.B., IL-Light Industrial District, Permitted Uses, is amended to add the
2 following language. The remainder of section 620.B. remains unchanged.

3 B. Permitted uses. In an IL-Light Industrial District, no building, structure, or
4 land and water use shall be permitted except for one (1) or more of the
5 following uses.

6 Light industrial uses, non-high risk or hazardous, including those uses
7 whose primary purpose is the assembly, fabrication, or processing of
8 goods and materials into other finished products, including processing,
9 fabrication, assembly, treatment, and packaging of such products, and
10 incidental storage, sales, and distribution of such products, including, but
11 not necessarily limited to the following:

12 Contractor's equipment and supply storage yard

13 Part 96. Section 620.C. (IL-Light Industrial District, Uses Subject to Special Permit
14 Regulations) is amended to add the following use in the appropriate alphabetical
15 order. The remainder of section 620.C. remains unchanged.

16 C. Uses subject to special permit regulations. In an IL District, the following
17 buildings, structures, and uses shall be permitted pursuant to Sec. 401.6,
18 after compliance with the following special regulations.

19 Security Quarters (subject to section 500.39)

20 Part 97. Section 620.D. (IL-Light Industrial District, Special Exceptions Subject to
21 Commission Approval) is amended to insert and delete the following language. The
22 remainder of section 620.D. remains unchanged.

23 D. Special exceptions subject to commission approval. When the Commission
24 determines as a fact, after the review of the application and plans submitted
25 therewith, that the conditions and provisions of Chapter 1, Sec. 102,
26 Chapter IV, Sections 400, 400.1, 401, and other regulations as set forth and
27 defined in this Code have been met, and when the proposed use or uses
28 are consistent with good zoning practice and are not contrary to the
29 policies of the Palm Beach County Comprehensive Plan, the following uses
30 shall be permitted:

31 Auto service station (with or without major repairs); and accessory car
32 wash).

33 Public and private utility services and accessory buildings and structures
34 including but not limited to the following:

35 Electrical Power Facilities. (subject to sec. 500.42)

36 Gas and Water Regulation Station.

37 Incinerator. (subject to sec. 500.5)

38 ~~Refuse and Garbage~~ Solid Waste Transfer and Recycling Station.
39 (subject to sec. 500.4)

40 Sanitary Land Fill. (subject to sec. 500.5)

41 Water and wastewater Treatment Facility. (subject to sec. 500.41)

42 Telephone Exchange Building

43 Part 98. Section 620.E.1., IL-Light Industrial District, Property Development Regulations, Lot
44 Area and Dimensions, and section 620.E.2., IL-Light Industrial District, Property
45 Development Regulations, Minimum Yard Setback Requirements, are amended as
46 follows:

E. Property development regulations.

1. Lot area and dimensions.

Minimum Area	One (1) acre
Maximum Area	Unlimited
Depth	200 feet
Width	100 feet
Frontage	100 feet

2. Minimum yard setback requirements.

Front	40 feet
Side (interior)	15 feet
Side (corner)	25 feet
Rear	20 feet

Part 99. Section 621.D., IG-General Industrial District, Special Exceptions Subject to Commission Approval, is amended to insert and delete the following language. The remainder of section 621.D. remains unchanged.

D. Special exceptions subject to commission approval. When the Commission determines as a fact, after the review of the application and plans submitted therewith, that the conditions and provisions of Chapter 1, Sec. 102, Chapter IV, Sections 400, 400.1, 401, and other regulations as set forth and defined in this Code have been met, and when the proposed use or uses are consistent with good zoning practice and are not contrary to the policies of the Palm Beach County Comprehensive Plan, the following uses shall be permitted:

Auto service station (with or without mechanical major repairs): and accessory truck and car wash).

Public and private utility services and accessory buildings and structures including but not limited to the following:

Telephone Exchange Building and Work Center
Gas and Water Regulation Station
Electrical Power Facilities (subject to sec. 500.42)
Water and Wastewater Treatment Facility (subject to sec. 500.41)
~~Sewage Pumping Station~~
Incinerator (subject to Sec. 500.5)
Sanitary Land Fill (subject to Sec. 500.5)
~~Sewage treatment plant.~~
~~Refuse and Garbage Solid Waste Transfer and Recycling Station~~
(subject to Sec. 500.4)
~~Refuse and Garbage Dumps (see subject to Sec. 500.5)~~
~~Water tower, storage tank, reservoir, treatment plant.~~

Part 100. Section 621.E.1., IG-General Industrial District, Property Development Regulations, Lot Area and Dimensions, is amended as follows:

E. Property development regulations.

1. Lot area and dimensions.

1	Minimum Area	Two (2) acres
2	Maximum Area	Unlimited
3	Depth	200 feet
4	Width	200 feet
5	Frontage	200 feet

7 Part 101, Section 623, PC-Preservation Conservation District, is amended as follows:

8 A. Purpose and intent. The purpose and intent of this district is to establish
9 and protect certain areas which are composed of the habitats of
10 endangered species of wildlife, fish, or flora, or which are important habitats
11 for the production of fish and wildlife, or which are sites of historical or
12 archaeological significance. The PC District corresponds to the
13 Conservation land use designation in the Land Use Element of the Palm
14 Beach County Comprehensive Plan. Publicly owned land shall be subject
15 to the regulations of the appropriate governmental agency.

16 B. Permitted uses. In a PC-Preservation/Conservation District, no building,
17 structure or land and water use shall be permitted except for one (1) or
18 more of the following uses:

19 Nature and foot trails.

20 Canoe trails.

21 ~~Boating limited to motors of less than ten (10) horsepower.~~

22 Wildlife management performed by the Official Game, and Fish and Wildlife
23 Commission.

24 Public Hunting and fishing camps and the use of boats, airboats, and
25 wheeled and tracked vehicles under policies and regulations prescribed by
26 the appropriate governmental agencies ~~Game, and Fish, Commission.~~

27 Hunting and fishing camps on private property.

28 Exploration, observation, and ~~excavation~~ archaeological studies supervised
29 by recognized authorities or persons granted permission to proceed by the
30 State of Florida.

31 Publicly operated passive parks and recreational areas.

32 Residences for preservation management officers.

33 C. Special exceptions subject to commission approval. When the Commission
34 determines as a fact, after the review of the application and plans submitted
35 therewith, that the conditions and provisions of Chapter I, section 102,
36 Chapter IV, sections 400, 400.1, 401, and other regulations as set forth and
37 defined in this Code have been met, and when the proposed use or uses
38 are consistent with good zoning practice and are not contrary to the
39 policies of the Comprehensive Land Use Plan of Palm Beach County, are
40 not detrimental to the health, safety and general welfare of the community,
41 the following uses shall be permitted:

42 Public operated ~~active~~ parks and recreational areas and accessory facilities.

43 ~~Hunting and fishing camps.~~

D. Prohibited uses.

1. Any use which has an adverse impact upon the habitat or archaeological site causing the deterioration of the habitat or physically altering an archaeologically significant environment is prohibited.
 2. Intense activity levels of the uses permitted herein without due consideration of the compatibility of the activity with the natural resource is also prohibited.
 3. Any alteration of the soils, vegetation, or water levels beyond the minimum required to accommodate the uses permitted is prohibited.
- ~~Further, wheeled vehicles, tracked vehicles, and airboats are prohibited.~~

E. Property Development Regulations.

1. Minimum Lot Area: 10 acres
2. Minimum Yard Setback Requirements. Setbacks shall be no less than fifty (50) feet from all property lines.

Part 102. Section 624.B., PO-Public Ownership District, Permitted Uses, is amended to insert and delete the language below. The remainder of section 624.B. remains unchanged.

- B. Permitted uses. In a PO-Public Ownership District, no building, structure or land and water use shall be permitted except for one (1) or more of the following uses:

Public and private utility services and accessory buildings and structures, including, but not limited to the following:

Electrical power facilities (subject to sec. 500.42)
Gas and water regulation station
Incinerator (subject to Sec. 500.5)
~~Refuse and garbage~~ Solid Waste Transfer and Recycling Station
(subject to Sec. 500.4)
~~Refuse and trash dumps~~ (subject to Sec. 500.5)
Sanitary land fill (subject to Sec. 500.5)
Water and wastewater treatment facility (subject to sec. 500.41)
Telephone exchange building and substation

Part 103. Section 625.B, CR-Conservation Restricted Use District, Permitted Uses, section 625.C., CR-Conservation Restricted Use District, Uses Subject to Special Permit Regulations, section 625.D., CR-Conservation Restricted Use District, Property Development Regulations, and section 625.E., CR-Conservation Restricted Use District, Special Regulations, are amended, deleted, and renumbered, as shown below. Section 625.F., CR-Conservation Restricted Use District, Special Restrictions, is renumbered to section 625.E.

- B. Permitted uses. In a CR-Conservation Restricted Use District no building, structure or land and water use shall be permitted except for one (1) or more of the following:

Bicycle trails.

- 1 Boating ~~limited to motors of less than ten (10) horsepower.~~
- 2 Canoe trails.
- 3 Exploration, observation and archaeological studies supervised by
- 4 recognized authorities.
- 5 Horseback riding.
- 6 Hunting and fishing camps.
- 7 Hunting and fishing under policies and regulations prescribed by official
- 8 game, fish, and wildlife commissions.
- 9 Nature and foot trails.
- 10 Publicly operated parks and recreation areas.
- 11 Wildlife management performed by official games, fish and wildlife
- 12 commissions.
- 13 ~~C. Uses subject to special permit regulations. In a CR-Conservation Restricted~~
- 14 ~~Use District the following buildings, structures and land and water uses~~
- 15 ~~shall be permitted after submission of a site development plan and approval~~
- 16 ~~by the planning division (of the Department) prior to application for building~~
- 17 ~~permits and certificates of occupancy. The site development plan showing~~
- 18 ~~the proposed layout shall contain the following:~~
- 19 ~~1. Proposed setbacks: Front, side, rear and side street~~
- 20 ~~2. Existing vegetation sketch~~
- 21 ~~3. Existing and proposed water areas~~
- 22 ~~4. Existing and proposed accessory buildings and structures~~
- 23 ~~5. Existing and proposed fences, landscaping, driveways, and parking~~
- 24 ~~areas~~
- 25 ~~D.C.~~ Property development regulations.
- 26 1. Minimum Lot Area and Dimensions: 10 acres
- 27 Area 5 acres
- 28 Width 300 feet
- 29 Depth 300 feet
- 30 Frontage 300 feet
- 31 2. Minimum Yard Setback Requirements. Setbacks shall be no less
- 32 than fifty (50) feet from all property lines.
- 33 Front 100 feet
- 34 Side (interior) 50 feet
- 35 Side (corner) 80 feet
- 36 Rear 100 feet
- 37 3. Maximum Building Height, Total Floor Area, and Lot Coverage.
- 38 Maximum building height: 35 feet
- 39 Maximum total floor area: 15% of the total lot area
- 40 Maximum lot coverage: 10% of the total lot area

1 ~~4. Special Setback from PC-Preservation/Conservation District. No~~
2 ~~structure within the CR-Conservation Restricted Use District shall~~
3 ~~be closer than one hundred feet (100') from any~~
4 ~~PC-Preservation/Conservation District boundary lines.~~

5 E.D. Special regulations.

- 6 1. Access. (subject to Sec. 500.20)
7 ~~2. Off street parking. (subject to Sec. 500.17)~~
8 ~~3. Off street loading. (subject to Sec. 500.19)~~
9 ~~4. Parking, storing, keeping of commercial and recreational vehicles.~~
10 ~~(subject to Sec. 500.18)~~
11 ~~5. Landscaping. (See Palm Beach County Landscape Ordinance)~~
12 ~~6. Fences and walls. (subject to Sec. 500.15)~~
13 ~~7.2. Performance standards. (subject to Sec. 500.16).~~

14 Part 104, Section 627.F.2.b., WCRA-O Westgate/Belvedere Homes Community
15 Redevelopment Study Area Overlay District, Property Development Regulations,
16 Special Standards for Non-Residential Development, Buffers, is amended as
17 follows:

- 18 2. Special standards for non-residential development. In addition to the
19 development standards contained in the Zoning Code, the following special
20 development standards shall be required of all non-residential development
21 within the WCRA-O District, at or before the time of construction as deemed
22 appropriate by the County.

23 b. Buffers.

- 24 (1) Any proposed non-residential use shall provide upgraded
25 buffer areas of a minimum of ten feet (10') in width on all
26 property boundaries which are contiguous to land designated
27 as residential by the Palm Beach County Comprehensive
28 Plan. These buffer areas will also be required for non-
29 residential land uses abutting Nokomis Avenue and Cherokee
30 Avenue. The upgraded buffer shall include:

31 ~~1.(a)~~ Six foot wall. A six foot (6') high opaque concrete block
32 wall, textured or surfaced with stucco or other
33 appropriate materials which coordinate with or echo
34 the design and colors of the principal structure on the
35 property and finished on both sides;

36 ~~2.(b)~~ Hedge. A hedge of native vegetation twenty-four
37 inches (24") in height, spaced twenty four (24") inches
38 on center; and

39 ~~3.(c)~~ Native canopy trees. Native canopy trees, a minimum
40 ten feet (10') in height with a minimum six foot (6')
41 spread, spaced twenty feet (20') on center. For buffers
42 required on Nokomis Avenue and Cherokee Avenue,
43 canopy trees shall be placed on alternative sides of the
44 wall, spaced twenty feet (20') on center.

- 45 (2) Commercial uses contiguous to residential zoning having a
46 commercial designation on the Palm Beach County
47 Comprehensive Plan shall provide a minimum five (5) foot

1 wide landscape buffer along shared residential property lines.
2 This buffer shall include:

- 3 (a) A six (6) foot high solid wood fence with vines planted
4 six (6) feet on center along the inside of the fence;
- 5 (b) A hedge a minimum of forty-eight (48) inches in height,
6 spaced twenty-four (24) inches on center, to be
7 maintained at a height of sixty (60) inches, and planted
8 on the outside of a fence or wall; and
- 9 (c) Native canopy trees, a minimum ten (10) feet in height,
10 with a minimum six (6) foot spread, spaced twenty (20)
11 feet on center.

12 Part 105. Section 630.G.1., PBIA-O Palm Beach International Airport Overlay District, Overlay
13 District Uses, Permitted Uses, is amended as follows:

14 G. Overlay District Uses

- 15 1. Permitted uses. All residential, and commercial and industrial uses
16 permitted by right in the underlying Zoning District shall be permitted
17 in the PBIA-O District. Industrial uses shall be permitted as a
18 Planned Industrial Development approved pursuant to Sec. 401.2
19 (Special Exception). In no case shall adult entertainment
20 establishments, bulk storage of gas and oil, and outdoor retail sales
21 (other than nurseries) be permitted in the PBIA district.

22 Part 106. Ordinance No. 90-11 (Amendments to Appendix F, Zoning Code) contained
23 erroneous internal section references. These are amended as shown on
24 "Attachment 3".

25 Part 107. CAPTIONS.

26 The Captions, section headings, and section designations used in this Ordinance
27 are intended for convenience of users only and shall have no effect on the interpretation
28 of the provisions of this Ordinance.

29 Part 108. REPEAL OF LAWS IN CONFLICT.

30 All local laws and Ordinances applying to Palm Beach County in conflict with any
31 provisions of this Ordinance are hereby repealed.

32 Part 109. SEVERABILITY.

33 Should any section, paragraph, sentence, clause, or word of this Ordinance be
34 held to be unconstitutional, inoperative, or void, such holding shall not effect the validity of
35 the remainder of this Ordinance.

1 Part 110. INCLUSION IN CODE.

2 The provisions of this Ordinance shall become and be made a part of the Code
3 of Laws and Ordinances of Palm Beach County, Florida, and the various sections may be
4 retitled, renumbered, or relettered to accomplish this purpose.

5 Part 111. EFFECTIVE DATE.

6 The provisions of this Ordinance shall become effective upon receipt of
7 acknowledgement by the Department of State of the State of Florida.

8 APPROVED AND ADOPTED by the Board of County Commissioners of
9 Palm Beach County, Florida, on the JUL 24 1990 day of JULY, 1990.

10 **PALM BEACH COUNTY, FLORIDA by its**
11 **BOARD OF COUNTY COMMISSIONERS**

12 By: [Signature]

13 Chair

14 JUL 24 1990

15 Attest;
16 John B. Dunkle, clerk

17 By: [Signature]
18 Deputy Clerk

19 Approved as to form
and legal sufficiency:

20 By: [Signature]
21 County Attorney

Acknowledgment by the Department of State of the State of Florida, on
this, the 26th day of July, 1990.

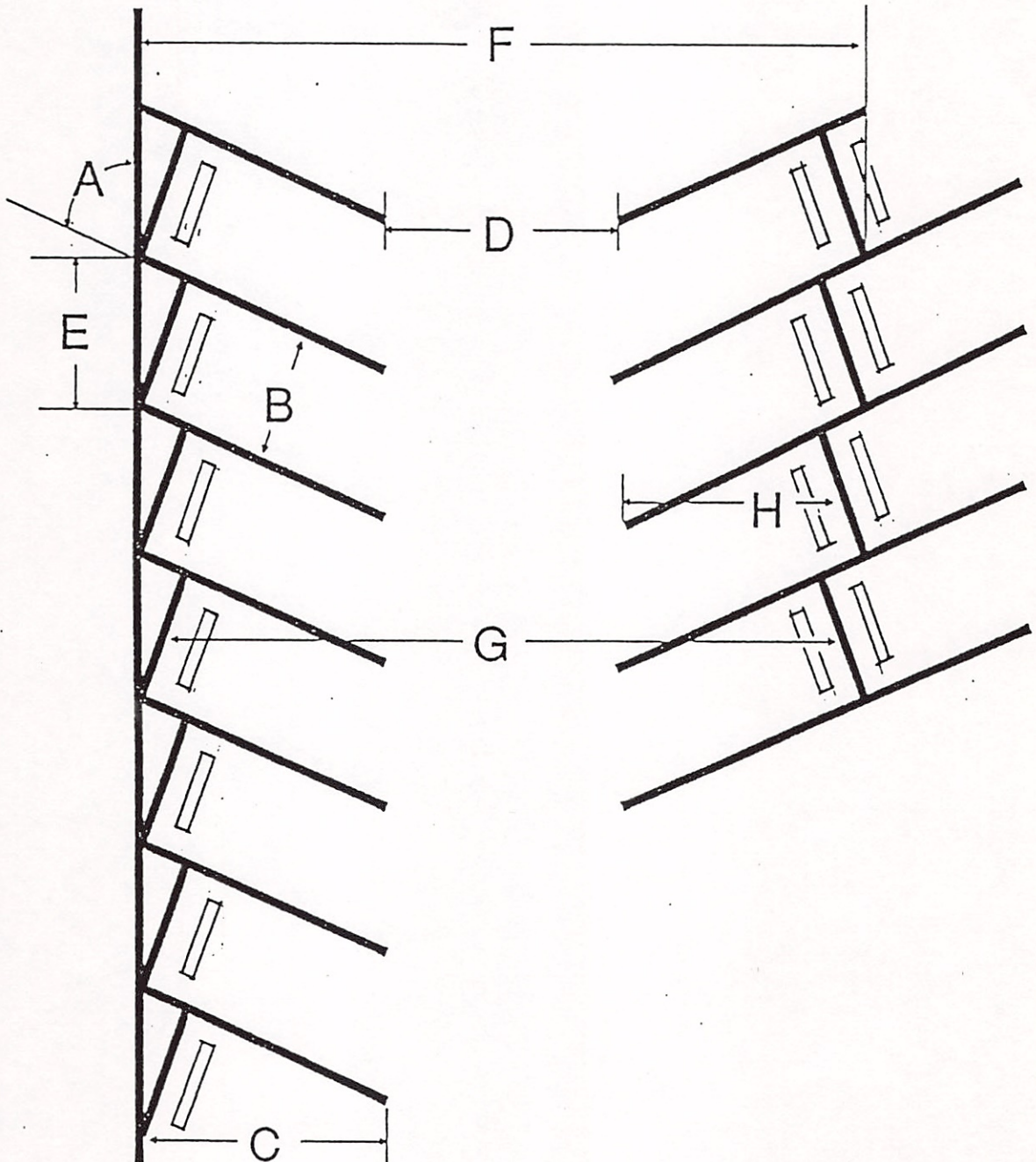
EFFECTIVE DATE: Acknowledgment from the Department of State received
on the 27th day of July, 1990, at 9:57 a.m., and filed in
the Office of the Clerk of the Board of County Commissioners of Palm Beach
County, Florida.

STATE OF FLORIDA, COUNTY OF PALM BEACH
I, JOHN B. DUNKLE, Clerk of the
Board of County Commissioners, do hereby certify this to
be a true and correct copy of the original filed in
my office on 7/24/90
DATED at West Palm Beach, FL on 7/30/90
JOHN B. DUNKLE, Clerk
By: [Signature] D.C.

ATTACHMENT 1

FIGURE 500.17-1:
PARKING STALL SCHEMATIC

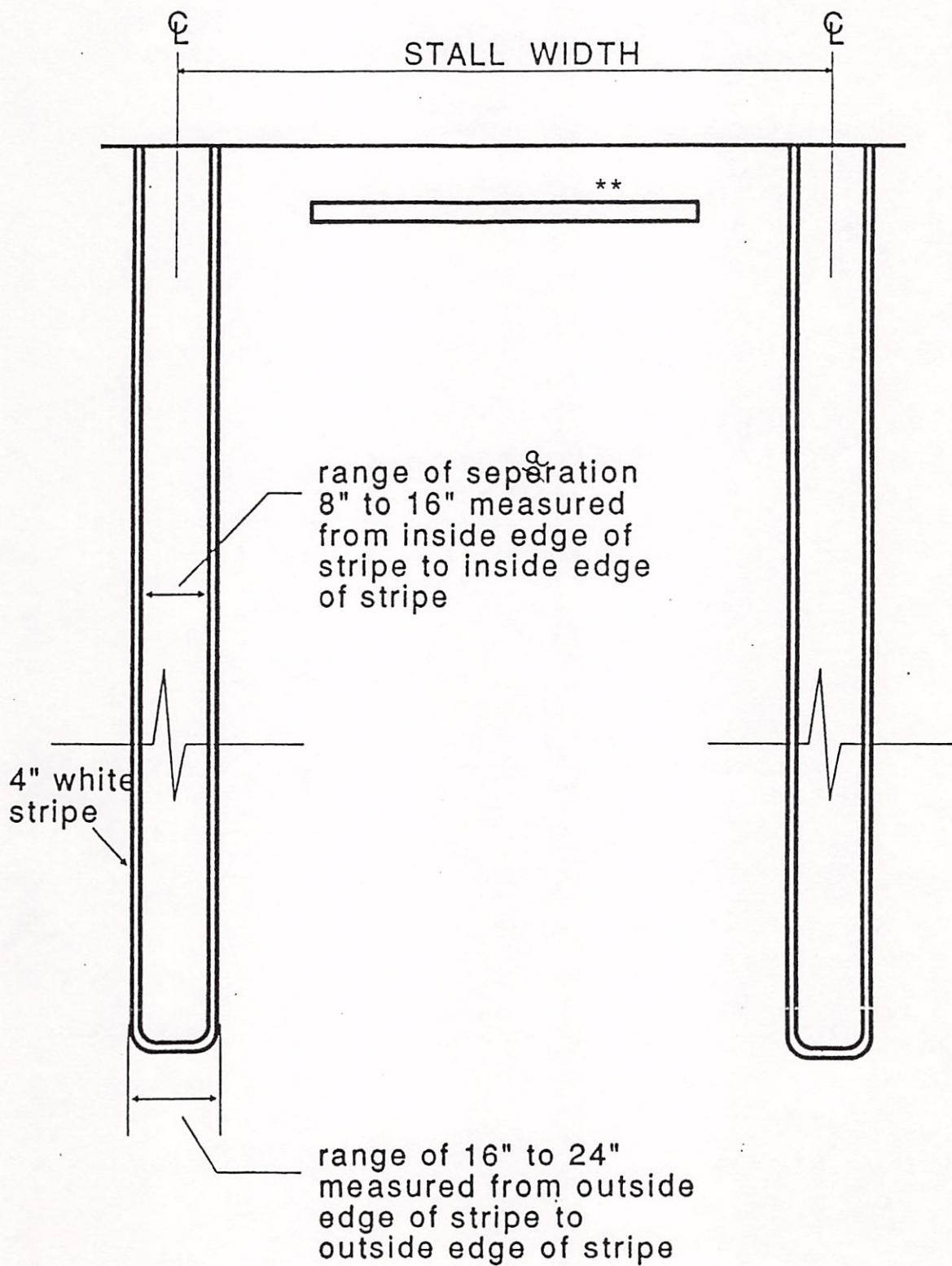
NOTE: Wheel stops added



ATTACHMENT 2

FIGURE 500.17-3
STRIPING REQUIREMENTS

** This area may be landscaped
if Section 500.35G2a(1)(d). of
the land-
scape code
is applic-
able



ATTACHMENT 3

ERRONEOUS INTERNAL REFERENCES

REFERENCE CONTAINED IN SECTION:	ERRONEOUS REFERENCE:	PROPOSED CORRECTION:
500.3.E.3.a(2)(b)	402.2	401.2
500.3.E.4.c(2)(b)	500.35.G.d.	500.35.G.3.d.
500.17.C.6.	500.17.6.b.	500.17.C.6.b.
500.17.C.8.a.4(c)	500.17.7	500.17.C.7.
Table 500.17-1, Note 3	500.35.G.(2)1(d)	500.35.G.2.a.1.)d.)
500.17.C.10.f.2.	500.17.D.3.	500.17.C.10.f.4.)
500.17.C.11.c.	Schedule 500.17-3	Schedule 500.17-2
500.17.C.13.c.8.	500.17.B.8.b.	500.17.C.8.b.
500.21.E.5.	500.17.(1)	500.17.C.11.
500.21.K.5.h.	500.17	500.17.C.
500.30.G.2.b.(2)	605.4.B.8.	500.17.C.8.c.1-3.
500.35.G.4.	615.	622.
500.35.G.4.a.	500.35.E.2.	500.35.F.2.
602.D.	500.42.	500.4.
603.C.	500.46.	500.47.
605.B.	500.44.	500.45.
606.D.	500.34.	500.37.
607.C.	500.45.	500.46.
607.F.	500.35.	500.15.
608.C.	500.45.	500.46
608.D.	500.42.	500.4.
608.F.6.	500.35.	500.15.
609.D.	500.42	500.4
609.F.6.	500.35.	500.15.
611.D.	500.47.	500.4.
612.D.	500.42.	500.4.
612.F.6.	500.18.	500.15.
614.C.	500.42.	500.4

ERRONEOUS INTERNAL REFERENCES (continued)

REFERENCE CONTAINED IN SECTION:	ERRONEOUS REFERENCE:	PROPOSED CORRECTION:
615.D.	500.42.	500.4.
616.B.	500.17.L.	500.17.C.11.
616.D.	500.17.L.	500.17.C.11
616.D.	500.47.	500.4.
616.E.3.	610.D.2.	616.E.2.
617.B.	500.17.L.	500.17.C.11.
617.C.	500.42.	500.4.
618.C.	500.42.	500.4.
618.D.3.	611.D.2.	617.D.2.
620.D.	500.38.	500.39.
621.C.	500.46.	500.47.
621.E.3.	621.D.2.	621.E.2.
622.C.3.	622.F.1-11	622.F.1-10
622.G.2.	622.G.2.	622.G.1.
630.H.12.a.	Table 629.1	Table 630.1